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THE HAPPY Future State of England:

OR,

A DISCOURSE by way of LETTER to
the late EARL of *ANGLESEY*, Vindicating Him
from the Reflections of an *AFFIDAVIT* Published by the
HOUSE of COMMONS, A°. 1680. by occasion whereof Observations
are made concerning Infamous WITNESSES.

The said Discourse likewise contains various Political Remarks
and CALCULATIONS referring to many Parts of Christendom;
with Observations of the **Number of the People** of *ENGLAND*,
and of its Growth in Populousness and **Trade**. The Vanity of
the late *Fears* and *Jealousies* being shewn, the Author doth on
Grounds of Nature Predict the Happy future State of the *Realm*.

At the End of the Discourse,

There is a Casuistical Discussion of the Obligation to the KING,
His Heirs and Successors, wherein many of the Moral Offices of Absolute
and *Unconditional Loyalty* are Asserted.

Before the Discourse, is

A large PREFACE, giving an Account of the whole WORK,
with an **Index** of the Principal Matters.

ALSO,

The Obligation resulting from the Oath of SUPREMACY
to Assist and Defend the Preheminence or Prerogative

OF THE

Dispensative Power

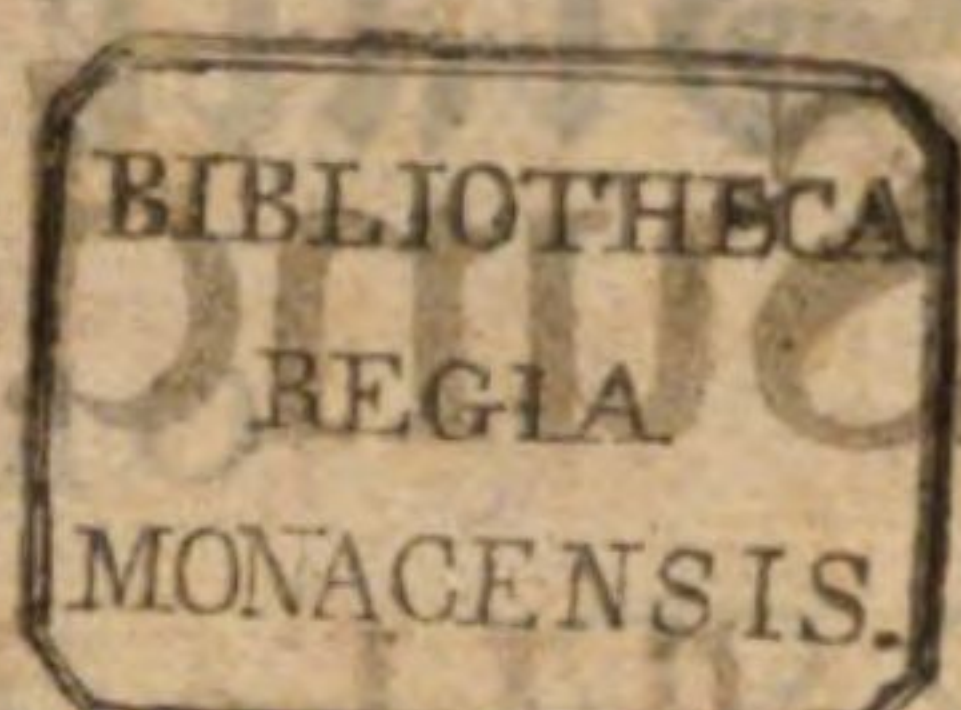
Belonging to the KING, His Heirs and Successors.

In the Asserting of that Power, various Historical Passages occurring in the *Usurpation*
after the Year 1641. are mentioned, and an Account is given of the Progress of the *Power of*
Dispensing, as to Acts of *Parliament* about *Religion* since the Reformation, and of diverse Judg-
ments of *Parliaments*, declaring their Approbation of the Exercise of such Power, and par-
ticularly in what concerns Punishment by Disability or Incapacity.

By Sir Phineas Pett.

LONDON, Printed MDCCLXXXVIII.

BIBLIOTHECA
REGIA



MONACENSIS.

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LONDON, Printed by W.D.C. 1722.

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To the Right Honorable the
Earl of Sunderland,
Lord President of His Majesty's most
Honorable Privy-Council, and Prin-
cipal Secretary of State, and Knight
of the most Noble Order of the
GARTER.

MY LORD,



OR one who is sensible how little he knows of things past or present, to Dedicate a Discourse of the future State of his Country to your Lordship, who are by the Age allow'd to be as Critical a Judge of Men and Things as any it affords, may seem to have in it somewhat of Presumption. But when your Lordship shall have had leisure to consider the plain Grounds of Nature, on which my Prediction in the following Papers hath gone, I will not so much hope that what I have attempted may appear to have been no Presuming, as I will expect that your Censure will cast the Presumption on the other side, namely, on such who were Predictors with a continuando, of the Unhappy State of their Country; and especially on the account of the Religion of our most Gracious Prince. And were I now to have my Judgment tryed only by that of the Mobile, who measure all things by the Events, I account I should be out of the Gunshot of Censure, since the course of Providence after my writing of the following Work having Conducted His Majesty to fill the Throne of his Ancestors with so many Royal Virtues, it has been Conspicuous to them that the Glories of his Reign have transcended the highest flights of my mentioned Expectation.

And indeed, as I remember to have long ago heard one of the Fathers cited for a Passage to this purpose, namely, that on a Supposal that God recounting to him the Perfections of the Creation, should ask him what he could name wanting, and that he could wish, he would answer, Unum Laudatorem, Domine, so it might till of late be said that in this new Creation or Restoration of England under His Majesty's Reign, the only thing we had with anxiety to wish and desire from God next to the enabling us to Praise his divine Goodness, was one whose Talent of noble thoughts and words might be adequate to the celebrating the many Talents of our Prince, and their successful Improvement both for the Honour and Security, and Ease of his People.

But neither is such one Praiser now wanting; for he who shall read the many late Loyal Addresses from all Parts of the Kingdom, will find the People of England to be the Unus Laudator.

M

My Lord, as I in the following Discourse almost wholly Printed long ago in the last Reign during the freedom of the Press, adventured on Grounds of Nature to predict such a growth of Loyalty, as would make all England become one sober Party of Mankind, and that the more ingenious sort of Jesuits would by natural Instinct throw off those Principles condemned in this Pope's Decree; and with Justice then acknowledged a Sober Party in that order, and have at large in p. 322. particularly shew'd my Abhorrence of charging the belief or practice of those Principles on all Persons in that Order: So I have likewise in p. 238. given my Judgment that all Seditious Principles own'd by any who call'd themselves Protestants must naturally decay, and have at large in my Preface oppos'd my measures of futurity to those of a late Father of the Church of England concerning the two Plots, that he thought the Papists and Dissenters would be ever carrying on, and without his Lordships excepting the Loyal in those religionary Parties.

But having said this, I must likewise say that these happy births of Fate, having been but (as it were) the Births of a Day under the Powerful Influences of His Majesty's Government, or (as I may say) a Nation's being thus born in a Day, are beyond what I did expect: and I did little think that with the suddenness of the motion of Lightning when it melts the Sword and spares the Scabbard, His Majesty's Declaration of Indulgence to Dissenters, would at the same time melt so many hearts, and all hostile Principles of the Doctrine of Resistance wrapp'd therein, as it spared the Persons of the deluded Opiners. I account that any indifferent Observer of the extraordinary sweetness of the way of painting their Loyalty in their Addresses (and which resembleth the way of Corregio, and is as excellent in its kind as that of the Sons of the Church of England after the way of the bolder touches of Titian in their former Addresses, with the Style of LIVES AND FORTUNES was in its) must be very hard-hearted if he likewise be not melted into a new kind of Compassion toward such his Brethren; and into a noble sense of a great and good Prince, having made his Subjects of all Religionary Perswasions Lachrymists for Joy, and turned all their hearts to invoke Heaven in wishing for him according to that old Style, a long Life, a secure Kingdom, a safe House, valiant Armies, a faithful Senate, loyal Subjects, the world at Peace, &c.

The comparatively narrow Idea's of Charity and Beneficence that Subjects Minds are capable of toward one another do incline them to think chiefly of particular Toleration, and such as we call Dispensation, and that too with the nicety of Caution; and upon Persons making the notification of their Principles, and their particular disclaiming of all Disloyal ones, previous to their Toleration; and beyond this pitch the flights of my poor thoughts have not gone in the following Work. But His Majesty having his Great thoughts intent on restoring England to its ancient Figure in the World, namely of balancing it, and coming to the Throne when he found the Land so impoverish'd by the Witnesses Plot, and the spirits of the Inhabitants so much intimidated with Fears and Jealousies, he by his own noble Jealousie for the Honour of the Nation hath chased away all ignoble Jealousies for ever, and by shewing so great an Example of Universal Confidence in his People, hath by his August Genius found out so expedite a way to make the Confidence between the Prince and People mutual (and which is the hinge on which the Happy State of any Country turns) as hath made any general Relapses into Principles of disloyalty during his Reign, almost morally impossible. For according to that Saying of Tully, Perditissimi est hominis eum lædere qui læsus non esset, nisi credidisset, and the Common Notion that next to the being perfectly good, it is the most difficult thing to bring Humane Nature to be perfectly bad, we may well expect a general growth of Loyalty from the Effects of that great

great Confidence, and the great Spectacle it affords the World, that may be partly expressed in the words of the Prophet, viz. The heart of the Father's being turned to the Children, and the natural Consequence of the turning the heart of the Children to their Father; a more noble work then for an Elias to come and solve Doubts.

And thus while the Principles of some narrow-hearted Divines might seem confned, like the Sands in their Hour-glasses, yet His Majesty's great Thoughts and largeness of heart given him by God, being (as was said of Solomon's) like the Sands of the Sea shoar, and he having without setting up Weigh-houses for Loyalty or Religionary Principles, created universal Charity and Peace in the Nation, and allow'd his Subjects a paulò majora canamus then verbal Recantations, he by thus trusting his Subjects at once with their Consciences, hath provided an otherguess Prospect for English Minds, then what can rise from disputacity, or the Ecclesiarum Scabies, and hath likewise secured the transmitting of his Character into the English Chronicles with such Rays of Glory as are brighter then those that have there adorn'd our former Princes, under whom the Roses, and Scepters and Kingdoms were united, through his having so much united the hearts of People of all Religions to himself, and to one another.

My Lord, It is here but just that I should acknowledge it to your Lordship that you have been and are Pars Magna in so highly Contributing by your great Figure at the Helm in the last and this present Reign, to this happy State of England. For while in that Reign so many were so intent by what an ingenious late Writer calls The Wheel within a Wheel, i. e. the Real Plot within the Nominal one of the Witneses; and by Out-cries against the Church of Rome to bring in a Roman Republick, your Lordship by your most wise Counsels and indefatigable diligence in guarding the Monarchy, and effecting that it should not be plotted away by Names or Things, will appear in the History of the Age, as one who perhaps beyond any one now a Subject secured the old Fundamental Government of England, and upon which only the new future Happiness of it could subsist.

I have entertain'd the Reader with a new Argument of Republicks generally growing more impracticable: but I shall do but justice to your Lordship in representing your very Character as an Argument of sufficient weight to poise the minds of the ingenious and the ingenuous against innovations by that sort of Government. For the World would soon want the benefit of the Example of the perfect justice inherent in your nature (that glorious Virtue that is the allow'd Continent of all the rest, and necessarily attracting the Eyes and Hearts and Veneration of the Populace) if Heaven had not fix'd you in the Sphere of Monarchy; a dull Mediocrity of Vertue and of Wit, and reason being only easie to a popular Government, and nothing but an Oyster-Shell or an Olive Leaf being to be there expected by a Person heroically just to his Country as his recompence, and his being always liable to such liberæ accusationes & Calumniationes as were under what I have call'd the Martyrocracy here in the turbid Interval of the Plot-times, and of the Fears and Jealousies.

Your Lordship was then by the help of your great Understanding and excellent Temper, and your constant Serenity of thought, sævis tranquillus in undis; and while so many of the timid were with their narrow spirits in that stormy Conjunction, toss'd about with excessive Fears and Jealousies, and nauseous to themselves and others, your Lordships great thoughts like a well-built first Rate-Ship, allow'd you both Ease and Triumph on the Sea of Time: and in the Night of the Popular Fears, your great Reason was directive to the Loyal tanquam lucerna in navi Prætorîa how and where to steer their Course with safety to the Publick.

(a)

While

While toward the End of the following Discourse, I recollected how much and how far my belief had been with that of many Loyal embarked in the belief of a Plot or the Plot, I there in p. 359, and 360. took notice that the Notions that men had of a Plot were very various: Some then were so far gone in credulity, as like the Fool that Solomon saith believeth every word they were resolv'd to believe every thing the Witnesses had said or would say, the Loyal generally acquiesced in the Notification of it as Publish'd by the Government; and I likewise call'd to mind what I had during my belief of somewhat of it mention'd in those hot Times, and while I was writing the warmest part of my Discourse in that Conjunction, and when generally every heat of mens Passions was Feverish, and every Fever Pestilential, and when the Vitium temporis was Concurrent with the Faults of the Writer: and there in p. 14. observing, that since according to the expression of God's not being the God of the Jews only, but also of the Gentiles, so it being true that the King is King of the Papists as well as Protestants, King of the Irish as well as English, and a Common Father to them all, it may be worthy of his Royal goodness, and a god-like thing in him to distribute to them all the kindness that would not undo themselves and others, (i.e. that they were capable of) and having then in p. 44. urged the possibility of Recusants being a sound part of the State here as well as in Holland, I held myself obliged to do them and the Course of my Impartial observing, the right as toward the end of the Discourse to mention it, that whatever petulance some of them were formerly guilty of, yet that the deportment of the generality of them hath of late appear'd with such a Face of Loyalty, as was necessarily attractive of our Christian Love and Compassion. And I concluded with the Observation, That it was not for nothing, nor without some end that Divine Providence permitted so many Protestants to erre in one great Point; and that probably it might be to the end to produce in their Minds so great a degree of Compassion and Charity toward the Persons of all Roman-Catholick Christians, as may not only last in this Conjunction, but be operative in them by all Moral Offices of Humanity and Christianity during their Lives.

But the Course of Providence having further honoured His Majesty's Government by bringing to light in it the Truth about those odious Matters that particular Roman-Catholicks were charged with, (and for which in the general Judgment of the Impartial they appear now to have been put to Death by false Testimony) the cry of such Blood may well (I think) pass for a loud Call against making the Body of the Roman-Catholicks uneasie by the Penal Laws, and while the Reason for their Severity hath so apparently ceased.

As toward the latter end of the Preface which was committed to Writing in the latter end of the last Reign, I mention'd it as the Concordant vogue of the Popu'ace to throw off the belief of the only Person referr'd to as a witness in the following Discourse, so it must be acknowledged that Time hath by its Births of Discovery, now given a just occasion for the laying aside all the Aggravations there against any Principles in the Canon-Law, or the Casuistical Morals of the Jesuits, that my self and others then built on the Fate of Godfrey: and hath according to what I have predicted concerning the Fate of the Principles of the Jesuites Condemned by this Pope, tacitly evaporating by Fear and Shame, made them appear obsolete. And it is one of the Glories of His Majesty's Reign, that all those Principles in terrorem, which gave occasion formerly for the Continuance of the Laws in terrorem, do now appear offer'd up as Sacrifices to the Justice of it. And tho' from the account I found in The Policy of the Clergy of France of the Fact of some of the Jesuits having opposed the Publication of that Decree in France, as having issued from the Pope

in his Court of Inquisition, I took occasion to dilate on the Aggravations of their Disobedience to the Pope, yet upon my having since enquired into the Transactions of the Papal World, I have found Cause to absolve them from any Censure of that kind.

And according y as the Ingenious Dr. Donne in his Pseudo-Martyr saith, that Chrysostom expounding that place in Jeremy, *Domus Dei facta est spelunca Hyæne*, applies it to the Priests of the Jews as hardest to be converted, and saith, That the Hyæna having (as Chrysostom observes) but one Back-bone, cannot turn except it turn all at once, so that the Romanist Priests having but one Back-bone, the Pope, cannot turn but all at once when he turns; it must be acknowledged that the Pope having by that his noble Decree done so much right to his own Honour, and that of his Church (and indeed of Humane nature) as to damn these tenets, the aversion of the whole Order of the Jesuites from them was necessarily and naturally to happen.

And from the Doctor in that Book applying further to the Jesuites, saying, Christ said to those whom he sent, what I tell you in darkness, that speak you in light, and what you hear in the Ear, that preach you in Houses, and fear not them that kill the Body; and if no other thing were told you in darkness, and whispered in your Ears at your missions hither then that which our Saviour delivered to them you might be as confident in your publick preaching, and have as much comfort of Martyrdom, if you died for executing such a Commission, and then reflecting on the instructions that were delivered them in darkness in that Conjunction, for the promoting those Papal Usurpations on the Regal Rights, whereby they were delivered from all subjection to the King; it may be here occasionally observed that many persons of our several Religionary Perswasions having for Curiosity gone to hear the publick Preaching of these Missionaries, have there met with such ingenuous Explications of the Moral Offices that concern the most Vital parts of Religion, and those so pathetically applied, as that they have looked on such men who were formerly dead in Law, to be as it were sent from the dead to make others better Christians and better Subjects, and to be thankful for the Dispensative Power animating those for that purpose, and have found no Cause to fear that they had any Politick whispers in their Missions to oppose the Power of our Monarch more then their Brethren do that of the Great Neighbouring one, and to whom in the litis-pendentia between him and the Pope about the Regale, they adhered.

My Lord, as to what I adventured to predict of the success of his Majesties Political Measures, his past Prudence so eminently appearing in the Series of his Great Actions might sufficiently encourage me without any help from Enthusiasme; for Nullum numen abest, si sit prudentia. And the Supposal about his coming to the Throne in great maturity of years, a thing that the prudence of the Romans had stricte regard to in the Age of their Consuls (and for which Office none was qualified under the Age of 43 years) and his bringing to the Throne a vast Treasure of Knowledge and Experience refin'd and solid by many Experiments of Providence on himself, according to the Divine words of Seneca *de provid. Deus quos amat, indurat, recognoscit, exercet*, might well raise the highest expectation of his Conduct.

But yet neither was I without some regard therein to the common Course of Divine Providence, even in this Life rewarding in any Illustrious Person a signal tenderness for Religion, and inquisitiveness in any Controverted Point about it, and at last contrary to the most valuable secular Interest determining his thoughts one way tho perhaps erroneously; and I will venture to conclude that if it had imported the salvation of such an exemplary inquisitive honourer of

of God (and who with great holy Exercise had defecated his thoughts from settlement on any local Religion, as such) to have found out the truth in that Problematick Point, God would have honoured him so far as to have sent an Angel to direct him to it: and will expect that such a one whose delight was in the Law of the Lord and therein did meditate day and night, tho he perhaps comprehended not every thing aright in it, yet that he shall be like a Tree planted by the Rivers of Water, that brings forth his fruit in his Season, and that his Leaf shall not wither, and that whatever he doth shall prosper: and that his ways thus, pleasing God, he will make even his Enemies to be at peace with him, and that he who makes peace in his high places, and who can make peace between high and low, and makes men to be of one mind in an House, will bless him with these Effects, and make him grow in favour with God and Man.

My Lord, I shall in the next place take occasion to acquaint your Lordship that in the Preface (and which every Candid Reader of any Book will peruse before his reading of the Book) I do explain myself more clearly about some things and words writt in the turbid times, and which as one saith well, are the worst times to write in tho the best to write of: and I do not fear the wanting any mans pardon who shall read over the whole, and which may well be expected before the allowance of his Exceptions, tho it may seem as copious as one of the Bankers Bills in Chancery. But because the former part of the Discourse necessarily requiring those courser Colours relating to Popery to be first laid on, before the finer ones and the gilding on the happy Future State of our Country; and for that to trouble any ingenious men now with Notions of Popery were to hinder their repose in the state I foretold, I have been at the pains of making a large INDEX, and where I have directed the Reader how and where to enter into the New Heaven and New Earth of his Country, without passing through the Purgatory of any expressions about Popery or the Plot: and perhaps the more Loyal and Ingenious Recusants whether Roman-Catholick or Protestants there taking notice of some grateful passages relating to some who were formerly of their perswasions being placed near others that are less so, may be the more pleased therewith, accordingly as my Lord Bacon observes, that a Rose set by Garlick is the sweeter.

Heaven having furnished your Lordships mind with so many Excellencies that are extraordinary, I could wish that it had been my ability or fortune to have here provided for your Entertainment somewhat of value that was not vulgar. But my essaying, or offering here and there at some matter of thought which by receiving its Form from your Lordships great reason, and particularly in p. 158. and the following ones in my making it a Fundamental Principle for the quiet of the World, that men are neither to get nor lose by Religion, and my distinguishing in mens Hypotheses between their Principles denominable as Religionary, and such Complicated therewith that are not so, and my having judged that none ought to be severe to any Recusant before he hath a Moral Certainty of such person having imbibed any of the Principles imputable to Recusancy that are irreligionary and unnatural, and my defiance of the petulance of the Faction by my placing Lawrels on those Heads at which it was throwing dirt, and my shewing how not only Christians of the Roman-Catholick Church in its great spreading Latitude, but even those of the more particular Church of Rome, and reverers of the Diocess or Court of Rome, are under no obligation by the LATERAN Council to be either Persecutors or disloyal, may shew somewhat of my honest well wishes in this kind.

I am not so vain as to think that any thing relating to Numbers or Political Calculations in the Discourse can appear new to your Lordship, who are so great a Master in that kind of Knowledge, that the most Curious of the Age may therein beg instruction from you. But I shall here presume to acquaint your
Lordship,

Lordship, that I observing that many in the late Conjunction whom I looked on as honest, loyal, and learned and ingenious men, and some who had formerly a gusto for the real Learning that refers to number, weight and measure, did render their Conversation so uneasy by talking of nothing but Popery, Popery (and which I looked on as unentertaining and nauseous as the Porke, porke & porke) I thought it might be publickly useful to lay open a new Scene of Thought before such Persons by shewing them some Calculations relating to the numbers of the People of England, founded on somewhat like Records, and some to its gradual encrease in Trade as well as populousness, and others relating to other parts of the World, whereby their Souls having somewhat like a new intellectual World before them to expatiate in, might no longer be confined to a perplex word.

Tet moreover considering how lately it was that they came out of that Conjunction of Panic fears, when so many who went to Bed without their Brains were afraid of rising without their Heads, and that as our English World was emerging out of the late general DELUGE of Fears and Jealousies where omnia pontus erant, &c. the Curious beheld the several births of Mens Reasons attended with Imperfections like those of the Animals referr'd to;

— & in his quædam modo cæpta per ipsum,
Nascendi spatium, quædam imperfecta, suisque
Trunca vident humeris: & eodem corpore sæpe
Altera pars vivit, rudis est pars altera tellus;

and thus saw the spectacles of mens various Understandings gradually creeping into sense and reason, and not suddenly likely to be perfected: I shew'd so much Complaisance to them, as in stead of hastily removing their Thoughts from the Course soil of Popery or the old Papal Usurpations, to build my Fabricks of Numbers and Calculations upon it: and I may say, that finding their vitiated Fancies relish'd nothing at that time grateful but the thoughts about Popery, I then chose to make that the Vehicle of the Notions I meant as Physick for their Cure.

According to the way of judging of the Draught and Proportion in perspective Painting by their respect to the Eye being directed to the Center therein, any ordinary Reader's judgment will be carry'd by the Index to find what was principally aim'd at in the following Discourse, namely to incline him to preserve the hæreditary Monarchy. And he will there find that my next aim to that was in a great part of the Work to dispose those who formerly had been dissident of their Prince, to Promote the Public Supplies for the necessary Support of the Government. And my judging that our most eminent Patriots would be inclined to value themselves as such, on the promoting the same, may to some appear as the most sanguine part of my Predictions. But as I leave it to any indifferent man to judge of the grounds of Nature I went on in so doing, so I may some way support the Credit of my measures of futurity in that Affair by the past event of the Loyal Confidence in His Majesty shewn by his late Parliament in their proceeding so far as they did in Supporting the Government; and may add that His Majesty's vast Expences that have been since so Conspicuous to the World in his Naval Preparations, and otherwise in the Providing for the Security and Honour of the Nation, may well incline any one else to judge well of such Patriotly temper of any future Parliament, and to allow of the Reasons by me urged as more Cogent for the present Reign then the former, considering the Preparations of our Neighbors that have been since augmented.

Tet however, I doubt not but that if it had been Gods will further to have lengthen'd the last reign, the Course of Nature would then have operated as I
(b) have

have mention'd. And if it shall appear that those natural Considerations I have urged shall have the success of such further Parliamentary Supplies to His gracious Majesty, as may tend to the further greatning of his Character and that of the Kingdom, I shall account my claim the more equitable to have the pardon of my fellow Subjects of what Religious Sect soever for any thing in this Discourse that may disgust them. And, as an eminent Protestant Divine hath in a Printed Sermon thus said, viz. That man is not worthy to breathe in so good a Land as England is, who would not willingly lay down his life to cure the present divisions and distractions that are among us, I shall say that any Subject deserves not to live here under the Indulgence of so good a Prince, who for the helping him to money by all due means for the defence of this good Land, would not wish himself as well as his Bigottry a Sacrifice; and who would not as to any Extravagant dash of a Pen lighting on his Party, and bringing Money to his Prince, cry *foelix peccatum*, rather than such Divisions and Distractions and Diffidences of the Government, and stifling of Publick Supplies should still live as were formerly known in some Conjunctions, and when the Art of Demagogues appear'd so spiteful in endeavours to frustrate the Meetings of Parliaments.

But our Prince having freed all his dissenting Subjects from their uneasiness under Pecuniary Mulcts for Religion, and the Members of the Church of England from the uneasiness of imposing such Soul-Money, will, I doubt not, when he shall please to Call a Parliament, find from them such necessary Supplies for the support of the Body of the Kingdom, as may ease him under the weight of his great Desires for it: and that it will then appear to all as absurd to Crown such a Head with Thorns as hath taken the Thorn out of every man's foot in England: and that his pass'd Sufferings for his Conscience (and others of his Communion having too suffer'd for his Conscience) bespeaking us in those words of the Apostle, Fulfil ye my joy; that both his and theirs will be then Consummated, and as the Joy of those of the Church of England, and of all nominal Churches in England hath been fulfill'd by him: and that as Luther was pleas'd in a Christian-like transport of good Nature to Profess in his Epistle to Ieselius a Jew, *Me propter Unum Judæum Crucifixum omnibus favere Judæis*, we shall for the sake of one of the Roman-Catholick Communion, who hath formerly suffer'd so much for his Conscience, and since done so much for the freedom of ours, shew all those of that Communion our favour to such a proportion as may compleat his and their Joy.

My Lord, I am here obliged to acknowledge, that tho while the several Parts of the following Work were written in the times the Government charged both Papists and Anti-Papists with Disloyalty and Plots, I express'd my sense of the Non-advisableness to have the Penal Laws against them repeal'd, pending such Charge and Plots; I desire the Reader to look on me as very far from insisting on any thing of that nature in this Happy State of England, now that the Corner Stone (and that some of the Builders rejected) hath thus successfully united the sides of the Fabrick of the Government in Loyalty.

My Lord, It is near a year since I writ my Thoughts at large concerning the Subject of the Repealing those Laws, and they are in the Fourth Part of my Work about The Dispensative Power (of which the two first Parts conclude this Volume) ready for the Press; and reserving my poor Judgment in this great Point till the Publication of the whole, I think I shall then set forth my Opinion as founded on Mediums that have not appear'd in Print from other Writers, and which I believe will not only not give offence to any Member of the Church of England, but be of general use in allaying the ferment the Question hath occasion'd.

And

And if as they who were long fellow-Passengers in a Ship among violent Tempests and Hirricanes, do usually from their being Participants together in the danger and horror, take occasion to raise a friendly esteem and well-wishes for each other, such of the Loyal whose belief I referr'd to, as imbarqued with mine in that of the Plot during the late Stormy Conjunction, shall be the more favourable to what I write, I shall be glad both for their sakes as well as mine; but do further judge that what I have so largely in the following Discourse asserted (and by Reasons taken from Nature) concerning the Moral impossibility of the belief of the Tenets of the Church of Rome gaining ground here considerably, on the belief of the Doctrine of the Church of England, will tend to secure any one from fears of our losing our Religion by any loss of the Test that may happen: a thing that none (I think) will fear, who are of the Judgment of the House of Commons in their Address to the late King on the 29th of November, 1680. (that I have referr'd to in my Fourth Part) and where they say, that P O P E R Y hath rather gain'd then lost Ground since the TEST ACT, and make that Act to have had little effect. I have in the following Discourse referr'd to that Act as represented to have had its rise in the year 1673. from the alledged petulant Insolence of Papists in that Conjunction, and I took notice of a learned Lord since deceas'd as vouching somewhat in Print of such temper among some of them. And a Proclamation that year charging the Papists therewith, I was implicitly guided thereby to take the thing for granted, and as to the which, considering since the publick Passages in that Conjunction, I have otherwise judged. But as I think no loyal Roman-Catholick should in that Conjunction have suffer'd any Prejudice for any ill Behaviour of any other of that Communion then, much less ought any such thing be now; and when there appears so noble and general a spirit of Emulation among all men of sense in the Diffusive Body of the People about who shall make the Head and all Members of that Body most easie: and for the doing which we may well hope that the People representative, and the other Estates of the Realm will come with all due Preparation of Mind, when it shall please His Gracious Majesty to assemble them.

My Lord, I have nothing further to add but my begging your Lordship's Pardon for this trouble, and my owning the many Obligations I am under to be,

My Lord,

Your Lordship's most Obedient

Servant,

P. Pett.

THE PREFACE TO THE READER.

THE Earl of *Anglesey* having shewed me an *Affidavit* and *Information* against him, delivered at the *Barr* of the *House of Commons*, on the 20th of *October* 1680. and printed by Order of that *House*, and in which *Affidavit* and *Information* he was Charged with Endeavours to stifle some Evidence of the *Popish Plot*, and to promote the belief of a *Presbyterian* one, and with encouraging *Dugdale* to recant what he had sworn, and promising to harbour him in his *House*, and that his *Lordships Priest* should there be his Companion and likewise watch him, his *Lordship* being thereupon desirous that right should be done him by a printed *Vindication*, was pleased to Command my Pen therein: and I was the less unwilling to disobey his Commands, because in that *Conjuncture* wherein so many *Loyal* and *Noble* Persons were sufferers by the humour of *Accusation* then regnant, I held it a *Patriotli* thing to withstand its *Arbitrariness*.

Sir *W. P.* in an Excellent *Manuscript* of his, called, *The Political Anatomy of Ireland*, hath one *Chapter* there, *Of the Government of Ireland* apparent or external, and the *Government internal*: and he describes the apparent *Government* there to be by the *King and Three Estates*, and with the *Conduct of Courts of Justice*, but makes the *internal Government* there to depend much on the Potent Influence of the many *Secular Priests and Fryars* on the numerous *Irish Roman Catholicks*, and on those *Priests and Fryars* being governed by their *Bishops and Superiors*, and on the *Ministers of Foreign States*, governing and directing such *Superiors*: and thus while *England* was blest with the best external *Government*, namely of *Monarchy*, and with the best *Monarch* and a *Loyal Nobility and Commons*, yet after the detection of a *Popish Plot*, several Persons under the Notion of *Witnesses* about the same, made so great a Figure in the *Government*, and were so Enthroned in the Minds of the *Populace*, that the Office of the *King's Witnesses* was as powerful as ever was that of the *high Constable of England*, and the *internal Government* of the *Kingdom* was then very much as I may say a *Martyrocracy*, and by that hard name the Noisy part of *Protestants* Endeavoured to gain Ground as much as ever any peaceable ones did by the old known Name of *Martyrology*.

But as all external Forms of *Government* have some peculiar defects as well as Conveniences, so did this *internal Government* appear to have; and those too so dreadful, that the Air of Testimony having sometimes got into the wrong place was likely to have made *Earth-Quakes* in the external *Government*: and as the *Militia* that alter the *Epoche* of 41 was cal-

The Preface to the Reader.

led the *Parliaments Army*, did before the fatal time of 48, produce the Revolution of the *Army's Parliament*, so were we endangered after the *Plot-Epoche* of 78, to have heard of the Office of the *King's Witnesses* changed into another, namely, of the *Witnesses Kings*.

And whoever shall write the *English History* of that part of time wherein that *Martyrocracy* was so powerful and domineering, will (if he shall think fit to give a denomination to that *Interval of Time*, and to found the same on most of the *Narratives* he shall read, or the *Sham-Papers* that many Papists and Protestants after the Plot Attacked each other with,) be thought not absurd, if he give^{it} the old *Style of Intervallum adnolov, incertum*, or of *μυθικὸν fabulosum*.

It was in the time of the most Triumphant State of this *Internal Government*, that I undertook to weigh its Empire, as I have done in p. 33, 34, 35. discussing the points of *Infamous Witnesses* and their *Infamy*, and of their *Credibility* after pardon of *Perjury* or *Crimes and Infamy incurred*: and a bolder man than my self would hardly have dared in that *Conjuncture* to have sifted their *Prerogative*, and (as I may say) to have put hungry Wolves into Scales, and to have taken the dimensions of the Paws of Lions, or to have handled the stings of Serpents, without expressing against some of the Romanists Principles he thought Irreligionary, all the zeal he thought consistent with Charity and Candour to the Persons of Papists, which is so much done in the Body of this *Discourse*, and without the expressing of which my *Vindicating a Noble Person* from being a Papist, had been an absurdity.

However I have been careful in any *Moot-points of Witnesses*, not to disturb in the least the Measures of the *External Government* about them; and out of the tender regard due to the safety of Monarchs from all Subjects, have in p. 205 asserted the Obligation of doing every thing that is fairly to be done, to support the Credits of *Witnesses* produced in the Case of *Treason*, and have there given a particular reason for it: and have in p. 36. with a *Competent* respect mentioned *Dugdale* on the occasion of the *Shamm* sworn against the Earl of *Anglesey*, as if his *Lordship* had undertaken to have unjustly patronized him: and have shewed my self inclined enough to believe credible Witnesses, by the Concurrence of my thoughts with the *Justice* of the Nation in *Godfrey's Case*; and the fate of which Person, and the *Casuistical* Principles that allowed it, I had perhaps not mentioned, but out of a just indignation against the infamous *Shamms* about it spread by some ill Papists to the dishonour of that Excellent Lord the Earl of *Danby*.

But there was another Consideration that induced me to write with such a Zeal as aforesaid, against such *Romanists* Principles and their effects; and but for which the following *Discourse* had not swollen to a large Volume.

I observed that since the late *Fermentation* in *England*, such a *Panique Fear of the Growth of Popery*, and the numbers of *Papists* had been by Knaves propagated among Fools that made the *English Nation* appear somewhat ridiculous abroad, and that during its Course many considerable Protestants were so far mis-led, as to think the State of the Nation could never be restored to it self, but by disturbing the *Succession* of the Crown in its lawful Course of *Descent*: and therefore resolving to do my utmost to free the Land from the Burthen of another guess *Perjury*, by the general Violence done to our Oaths *Promissory* (I mean to those of Allegiance and Supremacy) then that of any Witnesses in their Oaths *Affertory*, I thought fit at large to shew the Vanity of any Mens fearing that

that Popery can ever (*humanly speaking*) be the National Religion of *England*; and to direct them that they may not, by the imaginary danger of Popery to come, run with all their swelling Sails on the Rock of it at present, by *founding Dominion in Grace*, and out-rage those Oaths that do at present bind us without reserve to pay Allegiance to the King's Heirs after his *demise*.

And for any one who being concerned to see so many of his Countrymen lying (as it were) on the Ground, and dejected with unaccountable fears of the extermination of their Religion and themselves, and besmearing themselves with the dreadful guilt of their great Oaths, was resolved to endeavour to help them up, and by perswasion gently to lead them to such a high Prospect of thought, from whence they might at once have a view of the *past* and *present* State of Popery here and abroad in former Ages, and likewise of its probable future one, (*a sight that might better entertain Curiosity than what the Traveller speaks of, when from a high Mountain in the Isthmus of America, he could view both the great North and South Sea*) not to have rendered himself an acceptable *Perswader* by his *Discourse* carrying with it *Self-Evidence* that he was no Papist, had been a vain attempt.

And again for any one who would persuade the generality of Popish or Protestant Recusants, that it is not their Interest by any Artifices to endeavour to make so great a Figure in the *Internal* Part of the Government as they have in some former *Conjunctures*, without his *Discourse* carrying likewise *Self-Evidence*, that his *Advice* was that of a Friend to their Persons, as far as the publick Security would admit, had been an attempt as insignificant as the former.

I have in this *Discourse* often took notice of this *distinction* of the *Tenets* of Popery and Presbytery: *viz.* Such of them that properly are *denominable* by Religion, and such that are not: presuming in my private judgment to differ from the Measures took by the Government in King James his time, when the printed *Prayers* for the *Anniversary* of the *Gun powder Treason*, represented Papists Religion to be *Rebellion*; and I under the Notion of Principles *denominable* by Religion have ranked *Transubstantiation, Purgatory, Invocation of Saints*, and others, and have judged none of their Principles Irreligious, but such as the late Learned Earl of Clarendon in his incomparable defence of Dr. *Stillingfleet* attributes to Popery, as injurious to Princes and their Subjects, and what King James in his *Speech* to both Houses, hinted as such (according to what is cited by me p. 172.) *viz. As it is not impossible but many honest men seduced with some Errors in Popery may yet remain good and faithful Subjects, so on the other hand none that know and believe the Grounds and School-Conclusions of their Doctrine, can ever prove good Christians or faithful Subjects*: and such as are apparently contrary to the Light and Law of Nature.

But there is nothing in this *Discourse* otherwise than *en passant*, that impugns or confutes the old Religious Points controverted formerly between the Church of *England* and that of *Rome*, and all the passages throughout referring to those old points, might (I believe) be comprized together in about a Page.

And if I were as in a *Dictionary* to express the sense of the words, *Popery* and *Irreligious* so often used in this *Discourse*, I would say that generally by *Popery*, or (as the Writers in Latin call it, *Papismus*) I mean the power of the Bishop of *Rome*, in imposing *Creeeds* and *Doctrines* and

and Rules of Divine Worship on Men, and his Jurisdiction interloping in that of Princes and their Laws, and the doing this by the Charter of *Jus Divinum*, and as he is Christs pretended Vicar; and by the term of *Irreligious* so often by me applied to Principles, I sometimes mean such as are barely *NOT* religious, that is to say, Principles that are not in truth and in the nature things, parts of *Religion*, whatever any Sanction of the Papacy or a Presbytery may term them, and which do not *religare* or *bind* the Soul to God by *Moral* Obligations, nor by any *Band* of *Loyalty* to our Prince or *Charity* to our Neighbour, but do only tie men to a Party and to the owning with them several points of *speculation*, and no more necessary to be believed in order to our improvement in Moral Offices that the Divine Law natural or positive enjoins, or conducing to the same, than are the *Hypotheses* of the old or new Philosophy.

But I most commonly apply the word *Irreligious* to Principles that are *reverâ* contrary to Religion, and Justice, and Morality, and such as I would therefore dis-robe of the Name of Religion; and under this term of *Irreligious* not only all the Antimonarchical Principles of the Jesuites and Presbyterians are properly to be reckoned, but those Principles of the *Papacy* that even in the times of our *Roman* Catholick Ancestors, (as I said) were so injurious to our Princes and their Subjects, and which were by them as *Usurpations* on the Crown opposed and defied, and especially by those of them who were in their tempers most Magnanimous: and in this Case the *Papal* Principles that favoured those *Usurpations* on the rights of our Princes, might be said to be both *Non-Religious*, or things beside the matter of Religion, and likewise *Irreligious* or contrary to Religion, as being unjust.

The *Religio Officii* (as *Tully* calls the *Conscience* one hath to do his duty) did bind those Princes of the *Pope's* Religion, to impugne his Arbitrary *Usurpations* on their Realms: and in the Case of the meanest *Cottager* of *England*, the *Pope's* Excommunication was never allowed good in *Westminster-Hall* under our *Roman* Catholick Kings.

The latter end of the very Reign of *Queen Mary*, was likely to have diverted our *English* World with the sight of as remarkable a *Prize* played between the two *Swords*, (I mean the *Pope's* *Spiritual* and her *Temporal* one) as was ever played on its Stage: and when *Cardinal Pool* her Kinsman who had reconciled our Nation to *Rome*, was so far lost in the *Pope's* good Graces, as that his *Legantine* Power was abrogated by the *Pope*, and in affront to *Pool* given to *Peito* a poor Friar; but whose red Hat by *Queen Mary's* opposition could get no further than *Callis*; and She was so regardless of the *Pope's* Curses in the Case, that his *Bulls* in favour of his new *Legate* were not permitted to Arrive here, and the designed *Legate* was enforced to go up and down the Streets of *London* like a begging Friar without a red Hat. And more need not be here said to express the Principles that Usurp on Monarchs to be *Irreligious*.

When I have in the former part of the *Discourse* once or twice mentioned the term of *Apostates*, for some turning to the Church of *Rome*, I did there speak *Cum vulgo*, and likewise according to the *Style* of our *Courts Christian*, which proceeding against some perverted to the Church of *Rome*, impute to them the Crime of *Apostacy*: but having observed in the Progress of this *Discourse*, that that term was seditiously used by the Disciples of *Julian*, I have reprehended the further calling any men *Apostates*, for the alteration of their judgments in some controvertible points of faith between *Papists* and *Protestants*, and that may without absurdity be called *Tenets of Religion*.

As

The Preface to the Reader.

As to the expression of the *Extermination* of Popery, and likewise of Presbytery used in this *Discourse* sometimes, (and with allusion to the trite term of the *Papacy*, viz. *Exterminium hæreticorum*) I have there in p. 283 sufficiently expressed my abhorrence of the *Extermination* of *Persons*, and (as is there said) do only refer to the *Extermination* of *Things and Principles Religionary*, and indeed to speak more properly of that part of *Mens Principles* only that is *Irreligionary* and against *Nature*.

The words of exterminating and recalling are often used by *Cicero* as signifying the contrary: and when Mr. *Coleman's* Letters shewed such an imperious design in him for the *Revocation* of *Popery* that had been driven away, and banished or exterminated hence by so many *Acts of Parliament*, and even for the *Extermination* of *Heretic* out of the *North*, as occasioned such apprehensions in the Government of what was intended by other innocent and modest *Papists*, that made the gentlest of Princes in a *Speech* in the *Oxford Parliament* say, and if it be practicable the ridding our selves quite of all of that Party that have any considerable Authority, &c. none need wonder at the past warmth of Subjects expressed against the *Recalling* of the *Exterminated* *Papal Power*: nor yet at the warmth of their *Zeal* against the *Principles* of the *Jesuites*, propagating an *Internal Power* here when they had been exterminated from *Rome* it self: and when the *Lord Chancellors Speech* to both Houses had mentioned the *Proceedings* against *Protestants* in *Foreign Parts*; to look as if they were intended to make way for a general *Extirpation*.

They are poor Judges of things who think that *Doctrines* of Religion cannot be said to be exterminated out of Kingdoms, and their Laws without the *Banishment* of the *Persons* professing them. Who accounts not *Protestancy* sufficiently exterminated from being the *State-Religion* in *Italy*, and yet *Sandies* his *Europæ speculum* tells us, That there were 40000 professed *Protestants* there. Is not *Judaism* sufficiently *Exterminated* from being the Religion at *Rome*, tho thousands of professed *Jews* are there tolerated?

'Tis the publick approbation of *Tenets* or *Doctrines*, and not any forbearance or indulgence to persons who profess them, that gives *Doctrines* a place within the Religion of a State: for to make any State approve of a *Doctrine* contrary to what it hath *Established*, is a *Contradiction*. But the truth is, the famous Nation of the *Jews* (formerly *Heavens peculiar People* on Earth) having not been more generally guilty of *Idolatry* during their prosperity, than of *Superstition* during their Captivity and Oppression, and *Extermination* from their Country, hath taught the World this great truth that the readiest way to propagate *Superstition*, and Error is by the *Exterminium* and *Banishment* of *Persons*.

Whatever Church any men call their *Mother*, if the Magistrate finds them to own the Interest of their Country as their *Mother*, and to honour their true Political *Father*, they cannot wish their days more long in the Land than I shall do.

I remember under the *Usurpation* there passed an *Act of Parliament* (as'twas called) for the banishment of that famous Boute-feu *John Lilburn*: and under the Penalty of the *Ultimum supplicium*, and he shortly after returning to *England*, and being tried in *London* where he was universally known, and the only thing issuable before the *Jurors* being whether he was the same *John Lilburn*, those good men and true thought him so much transubstantiated, as to bring him in not guilty: and when ever I

The Preface to the Reader.

find any Papist not only willing to change the Name Papist for Catholick, but the thing *Papistry*, for the *Principles* of the Church of Rome under its first good Bishops, and before *Popes* beyond a *Patriarchal* Power aspired to be Universal Bishops and Universal Kings, and that even a *Jesuit* instead of the Rule of *Jesuita est omnis homo*, hath alter'd his Morals and Principles pursuant to the *Pope's* said Decree, so far as truly to say, *Ego non sum ego*, I shall not intermeddle in awakening Penal Laws to touch either his life or liberty.

Nor can any *Presbyterians* with justice reflect on the Zeal of any for the Continuance of the Laws, for the *Extermination* of *Presbytery*, when they shall reflect on the Royal Family having been by their means (as is set forth in this Discourse) *exterminated* out of the Realm into Foreign Popish Countries: and of which they might easily have seen the ill effects, if their understandings had not been very scandalously dull.

But there is another happy *Extermination* that I have in this Discourse from Natural Causes predicted to my Country, and that is of the fears and jealousies that have been so prevalent during our late *fermentation*: concerning which the *Reader* will shortly find himself referred to in many Pages in this Discourse, and to have directed him to all of that Nature would have made the *Index* a Book.

I have in this *Discourse* designing to eradicate the fears of Popery out of the Minds of *timid* Protestants, by the most rational persuasions I could, shewed somewhat of *Complaisance* in sometimes humouring their *Suppositions* of things never likely to come to pass. I have accorded with them in the *possibility* of the Event of Arch-Bishop *Usher's* Famous *Prophecy*, tho I account the same as remote from likelihood as any one could wish it: and do believe that if that Great and Learned Man could have foreseen the mischief that *Prophecy* hath occasioned by making so many of the Kings good Subjects disquieted thereby, (and which by at once *Chilling* their Hearts and heating their Heads, hath rendered them less qualified for a chearful and steady discharge of their respective Duties) he would have consulted privately with many other *Learned* and *Pious Divines* about the intrinsic weight of the matter revealed to him, before he had exposed it to the World: for that in the days when *God spake by the Prophets*, yet even then *the Spirits of the Prophets* were always *subject to the Prophets*: and there is no *Fire* in the World so *bad a Master* as the *Fire* of *Prophecy*.

It is observable that there hath scarce since this *Prophecy* been a *Conjuncture* of time wherein men uneasy to themselves would make the Government so, but this *Prophecy* hath been *reprinted* in it and cryed about, and few *Enthusiasts* but are as *perfect* in it as a *Sea-man* in his *Compass*.

The substance of it was to foretel Persecution that should happen in *England*, from the Papists in the way of a sudden Massacre, and that the *Pope* should be the Contriver of it, and that if the King were restored it might be a little longer deferred.

A person less learned than that Great Prelate could easily give an Account of the past Out-rages of Massacres that have been perpetrated by Papists, and of the tendency of the *Jesuites* Principles to the very legitimating of Future ones: but the most Pious and Learned Man in the World ought with the greatest Caution imaginable to pretend to Divine Revelation of Future Contingencies, in a matter both so unlikely and so odious as this, and which might probably occasion so much Odium to so many innocent

The Preface to the Reader.

innocent Papists, and so much needless trouble to so many timid Protestants.

That Pious and Great *Prelate* did not (I believe.) foresee that at the time when his *Prophecy* should dart its most fearful influences, *St. Peter's Chair* would be filled with a Person of so great Morality and Vertue as the present *Pope* is, and a *Pope* that would brand the sycarious Principles of those *Janizaries* of former *Popes*, the *Jesuites*, and that he would be by so many *Roman Catholicks* called the *Lutheran Pope*, and that the *Papists* numbers would be here so comparatively small long before this time, as to render it absurd to think that without the Execution of *Heavens Penal Law* of an insatiation upon them, they will ever attempt any such desperate design against such vast Numbers protected by the best of Princes under the best of Governments.

Whatever Principles of *Irreligion* any particular dissolute *Papists* might by any be supposed to retain, it is not to be supposed but that they who shew respect enough to *Numbers* and their weight in *spiritual* Matters, and particularly in the Divine Concourse with the Majority of Numbers in the Election of the head of their Church, and in the determinations of a General Council, and in their valuation of their Church by its Universality, will not condemn the power of Numbers in Matters *Political*; and I believe it will never among their innumerable Miracles and Revelations be Revealed to them, that numbers are by them in things *Political* to be dis-regarded.

But as I observed of Mr. *Hooker's Prophecy* in this *Discourse*, viz. That he guessed shrewdly: so one thing hath happened that may partly salve the Credit of this *Prelate's Conjecture*: And that is, that some *Nominal Protestants* (but too justly to be thought *Popishly affected*) having robbed the *Jesuites* of their *Doctrine of Resistance* and of their *Principle of Dominion being founded in Grace*, Endeavoured to rob them of their *Massacre*, and as his Majesty's *Declaration* of July the 28th, 1683 mentioned, did plot an execrable Out-rage of that kind: and some of the *Dissenters* that appeared to me for sometime after I began this *Discourse*, only as *Sheep straying from the Flock*, as they did to that Great Minister of the State who bestowed on them that expression, were afterward turned ravenous Animals: and as the effect of *Nycippus's Sheep* according to *Ælian* bringing forth a *Lion* in one of the *Greek States*, was resented as portending a Change of the Government, these mens producing the Principles of the *Jesuites*, was to be much more regarded as an Omen of our Future Mischief than what any former predictions could import, and it was shortly accompanied with a real design to have effected it: and as I hope it will be with such a sense of shame in others of them when they shall survey the Circumstances of that bloody design notified in the *King's Declaration*, as Mr. *John Gere* an Eminent and Learned Presbyterian Minister of *S. Faiths* in *London* did express, in a *Dedicatory Epistle* before a Book of his called *Καταδυναμῆς*, published some Weeks before the Fate of the Royal Martyr, and in which *Epistle* he importunes the Lady *Fairfax* to shew the Book to her Husband then *Lord General* to prevent his participating in the guilt of the Regicide then feared, and saith, O Madam let us sit down and weep over our Religion, and we, whither shall we cause her shame to go. How shall we now look *Papists* in the Face, whom we have so reviled and abhorred for their Derogatory Doctrine and Damnable Practices against Kings or any in Supreme Authority? O study that it may never be said that any Person of Honour and of the Protestant Religion had any hand in so unworthy

The Preface to the Reader.

worthy an Action as the deposing and destroying of a King whose preservation they stand bound to endeavour by so many Sacred Bonds.

I have accorded with our timid Protestants, that *Popery* may gain ground perhaps in some turbid Interval, and how by the Divine Omnipotence and Justice, the Course of Nature in its continuing the Protestant Religion may be over-ruled, and that on the account of our having justly deserved the Visitation of Popery, we may reasonably apprehend the dangers of it, p. 140. but have never recurred from shewing them the Future prosperous Estate of Protestants and Protestantism in England, but to advance the more forward into the following Representations thereof.

But having thus with Compassion to the timid endeavoured to discharge my duty as to the Moral Obligation of *Complaisance* (an Obligation that Mr. *Hobbs* hath so well shewn to be most clearly rising from the Law of Nature, and which the Christian Doctrine so strongly inculcates, and by vertue of which we are to bear one anothers Burthens, and sometimes to the weak to become as weak) I thought it afterward proper by the strength of Argument deduced from the nature of things to fortifie the minds of the Loyal against Un-Christian and Un-manly Fears.

But as to the Dis-loyal and Factious, let them (by my consent) fear on. I shall not trouble my self to bear the burthens of them who resolve to be Burthens to the Government, and who would if they could, load it with Presbyteries dead-weight, while they give that term to our Bishops. Let those who would have both Protestant Princes and their other Subjects fear them, be laughed at for fearing of Papists, and for not having a better understanding with the Persons of Papists, when there is so good an understanding and coincidence between the Principles of such Nominal Protestants, and that very part of the Principles of some Papists that is Irreligious and subversive of the Rights of Princes and their Governments, and when yet they seem not to understand that; and let Papists (by my consent) afford themselves recreative smiles, if ever in any Conjunction of time that may come, they shall behold the Factious Revilers of the Church of England, to come under its Wing for shelter after their so long endeavouring to deplume it.

But because I have observed some well meaning and loyal Dissenters, frighted both by Cholerick and Melancholy Expositions of the *Apocalypse* (a good Book in which some ill men have found the obscurest passages to be the clearest for their ill purposes, and in the dark places of which Book many having long lain in Ambush, have thence sallied out to cut Throats, and subvert Governments, I have here rear'd up a Bull-wark of Nature, that may secure them from the imaginary dangers of Castles in the Air, or Visionary Armies in the Clouds of any Mens fancies: and in compassion to the Loyal Protestants of the Church of England, whose Melancholy Suppositions I had a while closed with both as a Friend and Wrestler, that I might give them a fair and soft fall, I thought it then proper to warn them of the danger of extravagant Suppositions, and acquainted them that most Bedlams were founded on Suppositions, and the thought of *Quid si cælum ruat*, and of Peoples imagining Earth-quakes to happen in the State from falling Skies: and have shewn them how irrational a thing it is to suppose that a lawful Prince, how unlawful or heterodox any of his Tenets in Religion may be, will injure his Laws and the Religion by Law Established: and having conducted the Reader through the former more melancholy and strait and unpleasant passages in the *Fabrick* of this Discourse, have took care to lodge him in a more Airy and Cheerful

ful apartment, and whence he may recreate himself with looking out on the Future State of *England*, and remain assured that no frightful *Spectrums* and *Fantoms* will disturb him there, when he is either at his *Rest* or at his *Devotions*, and which I have for his diversion furnished with some such fair *Pictures* of his Countries Future State as may perhaps not much either shame it or my self, in regard that I think in the draught and design thereof, my *Art* has been according to Nature, how carelessly laid soever the Colours may have been, and where he moreover will have the *Prospect* I before described, and if his sight be clear, will find the Sky so more and more, tho so many *Politick* and *Lachrymist* would-be's have told him of the contrary.

I believe that since the *Predictions* of the deluge by *Noah* to the old World, there were never so many angry *Predicters* and *Predictions* of a general inundation of misery to any Country, under a Future Prince, as within these late years we have been overwhelmed with, and that to the discomposing of mens minds in their common converse and while they did eat and drink as in the days of *Noah*, and were so ready to devour all their Countrymen who believed not the same inundation with them.

But during this great *Deluge* of our popular fears of one of *Popery*, I have ventured in p. 297 and 258 of this *Discourse*, to express my persuasion of the Future State of *Eng'land* making men ashamed of their past fears and their former deference to ill boding *Prophets*, and that our Melancholy *Prophets* will appear to be *toto Cælo* mistaken in their *Auguries* as much (as *Gassendus* tells us) all the *Astrologers* were in *France* when by reason of the great *Conjunction* of watry signs in *Piscis* and *Aquarius* in the Year 1524, they said that there should be then in the Month of *February* a second *Deluge* that shou'd overwhelm *France* and *Germany*, and by reason whereof many People went with their Goods and Cattel from the low Lands to the hilly Country, and yet after all the fermentation those *Astrologers* had made among the *Populace* in *France*, that Month of *February* (as *Gassendus* tells us) tho naturally rainy, proved the dryest Month that ever was known in those Countries.

I account that the deluge of the popular fears did sensibly decrease after the year 81, and that to the great dissatisfaction of those whose broken Fortunes made them no worse under it, than the *Fishes* were in *Noahs*. The more rational and sagacious sort of *Protestants*, who had been so long *Sea-sick* with that deluge, and did nauseate the fears and jealousies that had discomposed them, began to see Land, when his Majesty with so just a Caution advised them in his Speech to the *Oxford Parliament*, That their just care of Religion should be so managed, as that unnecessary fears should not be made a pretence for changing the Foundations of the Government, and his Declaration of the Causes that induced him to dissolve that Parliament, signifying his Royal Resolution both in and out of Parliament to use his utmost endeavours to extirpate *Popery*, and in all things to Govern according to the Laws of the Kingdom, was in effect, like the *Olive-branch* brought by the Dove into the Ark, an happy indication of peace and settlement to the minds of the people and of the Waters being abated, and indeed a demonstration to them that the Dove had found *ubi pedem figeret*, and that our Laws and Religion had done so too: and on that great Vision of the *Lex terræ*, that so many mists had so long kept us from seeing, there ensued a general shout of Loyal Addressers throughout the Kingdom, like that of *Sea-mens* at their first seeing of Land after a long stormy Voyage, and when they thought

they had lost their Course: and the hearing of those shouts from the several Countries, served as a Call of invitation to the many *Timid* and *Loyal*, and likewise to many unfortunate persons, to return thither after they had flocked from thence to the *Metropolis* as an *Ark* for their preservation on the rising of the *deluge* of fears in some preceeding years: and it served to some *clean* and to other *unclean* Beasts as a *Call of Nature* that they were to March out of the *Ark*.

By the *unclean Beasts* I mean the sturdy *Paupers* that I have in this *Discourse* spoke of, who were observed shortly after the Alarms of the Plot from so many *Proclamations*, to flock from so many parts of the Country to *London*, like the Rustical *Plebs* I have spoke of naturally thronging to the shore, when they see a poor Vessel contending with a violent Tempest near it, and the next Minute likely to *Condemn* it as a wrack, and furnish them with *Gods Goods* (I mean such as they call *wrack'd* ones) and when to prevent the *Owners* of them from the benefit of some coming *alive* to the *Shoar*, they are so ready to out-rage those forlorn Mariners they see swimming to Land.

Many such *Atheistical* *Ruffians* of all *Religionary* Sects (and who had been desperate in the Country) might, being come to the *Metropolis*, there probably feed themselves with vain hopes of mischief to be done to or by some particular persons, and would probably have been ready enough to be *Mercenary Bravo's* to either any *Jesuites* or *Fifth-Monarchy men* or the *Jesuited* *Protestant* *Patrons* of the *Doctrine of Resistance*. But this *Scum* of the Country was afterward as naturally thrown off from the well governed City, as are the *Purgamenta Maris* from the Shoar without making any *Heads* or *Arms* ake to remove them, and not finding more welcome harbour in the City than they had in the Country, were I believe literally thrown upon the *Sea* to Convey them to the *Asylum* of the *Malheureus* that we may call our *Foreign Plantations*: and of the great and extraordinary Glut of the *Advenæ* from the Country ceasing in *London* after the year 1681, the yearly general *Bills of Mortality* gave a sufficient proof, and did (as I may say) include too the *Burial* of the *Plot*, or at least of the popular fears of danger from it.

The critical *Observer* on the *Bills of Mortality* having long since told us, *That there come about 6000 yearly out of the Country to live in London*, and which swells the *Burials* about 200 yearly, and likewise taught us the *Rule* of 1 in 30 there yearly dying, I have in p. 155 Calculated by the yearly great encrease of the *Burials* from the Year 1675, (when the fears of the *Growth of Popery* were so much in fashion) how very great the encrease of the number of the living there was to the Year 1679 inclusive, and the extraordinariness of which encrease was so justly imputable to that of the *Advenæ* from the Country: and to which it may be added, that the *Burials* from what they were in the Year 79 (*viz.* 21730) falling back about 700 in the Year 80, yet in the Year 1681 were in all 23971, and so for every *Thousand* gradually dying more in those Years referred to, 29000 were supposed to have in the same gradually lived more than in the former: and all which years before mentioned were of ordinary health.

But the Year 1681 having produced that *Pacific Royal Declaration*, and the *Congratulatory Addresses* thereupon, and likewise that encrease of the *Burial* before mentioned (that might be supposed to happen partly by the *Advenæ* from the Country being for some time necessarily detained in the *Metropolis*, in making preparations there to leave it, and by

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some of them in the mean time dying, and partly from some new *Paupers* then coming from the Country to hide their heads in obscure places in *London*, and which they durst not shew in the Sun-shine that *Declaration* had made in the Country, and partly by the deaths of many Loyal Persons in *London* whom the *Addressees* and expectations of Preferment for their Loyalty brought thither) yet the Burials in the following year, viz. 1682, being but 20690, was a considerable indication of the abatement of the popular fears which led so many timid Persons from the Country, with hopes to find our *Metropolis* to be the most quiet part of the Nation, as the most quiet part of a *Ship* is naturally that which is nearest the *Main-mast*: and the Burials in the year 83 being but 20587, gave an indication of the *Advenæ* from the Country not then encreasing: and although the *Total* of the Burials for this year 84 was 23202, yet it being most probable that there dyed above 3000 of *Infants*, and of *Aged*, and *infirm*, and *indigent* People by the *Accidents* of the extraordinary *Frost*, it may be well accounted that the popular fears have not been in this year augmented.

Altho during the so long continuance of the general ferment in the Kingdom after the *Plot-Epoche*, (and in which interval so great a part of the following *Discourse* was printed Sheet by Sheet) I could not after the King and Pope had both of them by written *Edicts* (as it were) denounced War against the *Tenets* of the *Jesuites*, that included so much Hostility to the Church of *Rome* as well as of *England*, but participate in the general heat against those *Tenets*, and improve the occasion of writing polemically about the same, yet I think none could more carefully observe the *Laws* of *Military* Discipline, than I have those of *Loyalty* in not going beyond the *Measures* of the Government, and in following the *Standard* of the Royal Pen, set up in the *Proclamations*, and likewise in the *Declaration* aforesaid.

Dr. *Donne* dedicating his *Pseudo-Martyr* to King *James*, begins his *Epistle* by saying, that as *Temporal Armies* consist of pressed men and voluntaries, so do they also in this War-fare in which your Majesty hath appeared by your Books: and not only your strong and full Garrisons, which are your Clergy and your Universities, but also obscure Villages can Minister Souldiers, &c. Besides since in the Battel your Majesty by your Books is gone in person out of the Kingdom, who can be exempt from waiting on you in such an expedition.

That Learned Monarch in his printed *Premonition* to all Crowned Heads, free Princes and States, doth *Magno Conatu*, go about to prove the Pope to be *Anti-Christ*, and very subtilly discusseth the *Moot-points* out of the *Apocalypse* that refer to it: and from that one word of *Anti-Christ*, the *Papacy* hath since the *Reformation* received much more prejudice, than hath the *Reformation* from that other famous word of *Heresy*: and the Compellation of *Anti-Christ* is especially a more terrible weapon against the Pope, when used by the hand of a King.

But I must frankly say should my Prince Combat the Pope with this name in Print, and descend to Command my poor Service in that War-fare, I should humbly apply to him to excuse me therein: and as it was observed concerning *Aretine*, that he left God untouched in his Satyrs, giving this reason for it, *Ille inquit non mihi notus erat*: so I shall say the same thing of *Anti-Christ*.

But when the Thunder of the Royal Power was in so great a number of *Proclamations* heard all over Christendom against particular persons,
and

and their known Principles and Designs, his Subjects might well think it a part of Loyalty during that time to wear *Clouds* in their Brows, and to be tributary to the Royal Cares by endeavouring in their several Capacities to support the Throne, and to concur with the constant *Practice* of *Nations* in receiving the beliefs of Matter of Fact as stated by Sovereign Power according to the common saying of *Imperatori seu Regi aliquid attestanti plenè creditur*.

It is this *Teste* of the *Sovereign* (as I may say with allusion to the words in our Writs of *teste me ipso*) that will be the *Clew* to the *Historians* to guide them in that dark and intricate Labyrinth of time, I before spoke of: and will probably be helpful to any *ingenious* Protestants or Papists who shall write its *History*, when they shall from the many *Collections* of the *Pamphlets* relating to that time treasured up by the curious, see so many bold and contradictory *Shamms* and *Affidavits* fighting with each other for that belief in a Future Conjunction, that they could not obtain in the past: and 'tis nothing but the declared *Sense* of the *Government* that in such *odiosa materia*, will qualifie a judicious Historian to do right to himself or his *Reader*, or even to his *History*, and keep it from being thrust down among *Narratives*.

It may be rationally supposed that when *Princes* and their *Ministers* do think fit to notifie their judgments of some matter of Fact wherein they might receive the first Information from Persons lyable to exception, that there were many concurrent Circumstances lay in the *Balance* before them: and which perhaps they might not think convenient to divulge: and moreover it is a thing commonly observable, that Divine Providence doth influence the understandings of *Princes* (who are its instruments in the Government of the World) more signally than of other men, and that Crowned Heads are still blessed in some measure as of old by another *Spirit* coming on them, than what animated them while private persons, and that therefore their asserting of *Facts* of *State* is more to be revered than that of other men.

I therefore in the *Case* of the *shamm* of throwing the *Odium* of a Plot upon *Protestants* in one particular Conjunction, have not come short of or gone beyond the Measures of the Government: nor do I believe that any Historian of it will.

And when I did read the various *Pamphlets*, and did confer Notes with some of the *Curious* about the last mentioned *Shamm*, and participated with the Loyal Protestants in their Concern and Sollicitude for the honour of their Religion thereby attacqued, yet I gave no *Rule* about the *Merits* of the matter in my private thoughts, till I saw in the *Prints* the Copy of the Order of *Council* of November 2d, 1679. reflecting on the Treasonable Papers thrown into a Gentleman's Chamber, by which divers *Noblemen* and other *Protestants*, were to be brought under a suspicion of carrying on a Plot against his Majesty, and which Order was after a Person was sent to *Newgate* by the *Council* for forging of Letters importing High-Treason and fixing the same in a Gentlemans Chamber, and o. which Forgery I yet thought none but some few of the *fæx Romuli*, who believed and practised the Jesuites *Doctrine* of *Calumny* could possibly be guilty.

But I presently accord'd in my thoughts with the many Loyal Protestants and Papists who judg'd another *Effort*, that pretended to be of the same Nature with the former, and referred to a Plot of Protestants, to be a poor vile *Artifice* or *Shamm*, projected by some Calumnious *Anti-Papists*,

Papists, a sham too despicable to be here named, and obvious enough to detection from the *Trite* saying, *That they who can hide can find*.

But the many pitiful *Shamms*, whose humming noise did a while please our *Mobile*, and were below the notice of the Government, have had their *triduum infecti*, and are not to expect to live in *Story*, or to be there Entombed like the *Fly* in *Amber*.

The powerful Effects of the Royal *Declaration*, freeing our Land from the Plague of Fears and Jealousies and the Annoyance of the *Swarms* of these *Flies*, as *Moses* his intercession prevailed to deliver a Realm from the Judgments of other ones, will be a more adequate Subject to a great Writers thoughts, and especially when he shall consider that in the Course of Nature and without Miracle, those great Effects could not but rise from so great an Efficient: and as to which any one will perhaps be of opinion with me, who shall consider that the most terrible of terribles in so many mens apprehension of *Popery* is its *arbitrariness*: and that therefore the publication of the Royal Resolution to govern according to the Laws would effectually secure us against all *Arbitrary Power* whatsoever.

Mr. *Hobbs* saith in his *Behemoth*, *I confess I know very few Controversies among Christians of Points necessary to Salvation. They are the Questions of Authority and Power over the Church or of Profit, or of Honour to Church-men, that for the most part raise all the Controversy. For what man is he that will trouble himself or fall out with his Neighbours for the saving of my Soul, or the saving of the Soul of any other than himself?*

And no doubt it is not barely any mens believing the *Doctrines* of *Purgatory* or *Transubstantiation*, or *Merit* or *Works of Super-Errogation*, that hath made the past ferment among us, but the Arbitrariness of the Papal Power and the Complication of the *Tenet* of the Plenitude of that Power with those Religionary Tenets, and the making of it Penal not to receive those or other Tenets from *Rome*, and the making men Tenants *in capite*, to a Foreign Head for their Brains and Estates, and an outlandish Bishop, who lives a Thousand Miles off, with new *Non obstantes* outraging their old Laws, and whom they can never see blush after it. But his Majesty having declared, *That he would use his Royal Endeavours both in and out of Parliaments to Extirpate Popery*, (of which its Arbitrariness was its great dreaded part) and in all things to Govern according to the Laws of the Realm, the People knew that the Laws had sufficiently provided against Appeals to *Rome*, as well as against Appeals from the Country to the City, and that *Declaration* naturally fortified the minds of the People as a *Præmunimentum*, guarding them before hand (as I may say with allusion to our *Statutes* of *Præmunire*) against the Arbitrary Power either of *Rome* or *Geneva*, and did in effect set up an *Insurance Office* in each of his Majesty's Courts of Justice, to secure them against Arbitrary Power as such in whomsoever, and that they might in *in utramvis aurem dormire* as to any danger from the same; and 'tis therefore no wonder that the *Reflux* of People from the *Metropolis* to the Country ensued thereupon, as I have remarked out of the *Bills* of *Mortality*: and from which *Bills* perhaps we may divert our selves with the sight of the *Burial* of that *Plot*, which some feared and others hoped would have been *immortal*, who would have had it *Entailed* too on their *Heirs* and *Successors*, tho they would not allow the *Crown* to be so to the *Royal Line*.

The Preface to the Reader.

The *Political* uses that the *Bills* of *Mortality* may be put to, being more *various* than the profound *Observer* on them took the pains to mention, as I have thence, by a *glancing* view of the gradual Encrease of the People, coming out of the Country for several years, to dwell within the Compass of those *Bills*, and likewise of the gradual decrease thence deduced, given an account of what I thought might in some measure deserve the name of an *Indication* of the diminution of the popular fears resulting from the *Burials*, after the great *auspicious* year of the Royal *Declaration*, so I could, in order to the *lessening* of the fears of the encrease of *Dissentership* within the Circuit of those *Bills*, from the *Total* of the *Christenings* in the respective years since that of 81, give what I might without Vanity call more than *Indicium*, and which perhaps would be by Critical Persons allowed for somewhat like a *Demonstration* of the Encrease of the Numbers there, (as I may say) *born* into the Church of *England*, and to what *proportion*, and that very particularly: and make it out thence that above the proportion between the *Burials* and *Christenings* that was in the Year 81, there were *Christened* 1084 in the year 82, and that the disposition of People for baptizing their Children in the way of the Church of *England* did encrease near a 13th part, in the year 82, and that above the *proportion* between the *Burials* and *Christenings* that was in the year 82, there were in the year 83 *Christen'd* 2146, which is near a 6th part, that the *Baptizing* of Children in the way of the Church of *England* hath gained, and *Dissentership* hath lost ground in that year.

Nor do I find cause to alter my opinion of such baptizing in the way of the Church of *England*, having lost, but rather, on the contrary, gained ground in this year 84, tho to what proportion I cannot positively judge, by reason of what I before hinted, namely, of the extraordinary proportion of the *Burials* this year, arising from the *Accidents* of the great *Frost*, and which *Physicians* by comparing the encrease of the particular *Diseases* by which so many died this year more than in the former happening from those *Accidents*, have judged to be considerably above 3000, and likewise by reason of the *Births* having this year been *reverâ* considerably fewer, according to the *Rule* of the *Observer* on those *Bills*, *That the more sickly the year is, it is the less fertile of Births*.

All who have been in the least conversant with those *Observations* of his, know that the *Births* in ordinary years are equal to the *Burials*, or rather more: and I have observed the same from the *Paris Bills*, where the *Christenings* do generally much exceed the *Burials* (and as particularly appeared by the *Total* of the *Burials* in the year 1683 being 17764, and the *Total* of the *Christenings* being 19717) but by the *Christenings* among us *registred* and *reckoned* in our *Bills*, we know thence when the disposition of the People to baptize their Children in the way of the Church began to encrease, and *Dissentership* consequently to decrease; and accordingly the ground gained by the Church of *England*, and lost by *Dissentership* within the Compass of those *Bills*, after the year 81, hath been by me sufficiently proved, *Quod erat demonstrandum*.

I have in this *Discourse* given somewhat like a little *Historical* Account of the *Numbers* of the *Papists*, since the *Reformation* to our late *Conjunctures*, and have with honour mentioned the *Vigilance* of his *Majesty's* late *Minister*, the Earl of *Danby*, in directing a *Survey* of the *Numbers* of the People of several *Religionary* *Perfwasions* in the Province of *Canterbury*, and which was returned in the year 76, and whereby the

the Comparative Paucity of the number of Papists there is apparent, as it is by themselves agreed on so to be, as I have cited out of the *Compendium*.

But tho the Copy of that *Survey* is in the hands of so many Persons, I would not have mentioned any thing thereof as to the Number of the Papists, but that Dr. *Glanvill* had first published the same, and whose *Book* I have referred to for the same. Nor shall I therefore give any particular account of the numbers of the *Non-Conformists* resulting from the same.

But tho I think that the Number of the *Non-Conformists* was not returned perhaps in that *Survey*, so justly and near the matter as was that of the Papists, yet I am fully of opinion that if the number of *Non-Conformists* were thrice as great as that returned (which I believe no man will reckon it to be) their proportion with that of the *Total* of this great Populous Nation would be very inconsiderable.

But as to all the Writers or Discourfers of their proportion to that *Total* that I have conversed with, (and who have rendered the *Quota* of the *Dissenters* so vast with much positiveness) I am able to say, That I have easily perswaded them to desist from any positive magisterial determination therein, by shewing them that their measures of the *Total* of the People of *England* have been but conjectural, and depending perhaps on some Calculations too fine and subtle, or others too coarse and gross, and that no man can be a competent Judge of this *Total*, who hath not seen the *Returns* on the Bishops *Survey*, and likewise the *Returns* on the late *Pole-Bills*, and of which latter under the Patronage of a powerful Minister of the Kings, I obtained Copies, and have thence in the following *Discourse* shewed the *Total* of the People of *England* and *Wales*, to be probably much greater than any cautious *Calculators* have made it, and some whereof made the *Total* to be 5, others 6, others 7 *Millions*. I thought the doing of this an acceptable service to my Prince and Country, and the rather for that several *Authors* among the *Magna nomina* have published it in Print, that the People of *England* and *Wales* are but 2 *Millions*: and which number if they did not exceed, we might allow our *Dissenters* a considerable proportion therein, tho yet nothing near so great even as to such a *Total* as some would have it.

But the Ebb of their Numbers is at this time so apparent, if we respect the State of them in the whole Kingdom, that their Out-cry of *Implevimus omnia*, and *The Nation and its Trade cannot subsist without us*, is very ridiculous: and they are not in my opinion their friends who writing for them do so customarily magnify their Numbers, and as if they were half the People of *England*, as some have done: and I believe the Gentleman whom I have cited for saying in a late *Parliament*, that he observed, *That in the Choice of Knights of the Shire for the County he lived in, that they could not bring one in twenty to the Field*, would if he had been at *Elections* in some other Counties have found they could not there bring in so great a number.

And tho the *Puritans* of old were very numerous in the *House of Commons*, and our *Dissenters* in the King's long *Parliament* made so great a Figure as to be able by their weight to crush the *Declaration* for *Indulgence*, yet in the succeeding *Houses of Commons*, the *Dissenters* were far from valuing themselves on their weight or numbers: but of the *Dissenters* in that Loyal Long *Parliament*, I believe there were not any who wished for the Yoke of *Presbytery*, or thought its Platform practicable in this Realm.

I have in this *Discourse* mentioned one thing, that made the most Eminent *Presbyterian* Divines after 41, think their bringing of the *Toke* of Presbytery upon the *English* Necks practicable, and that is, their accounting according to the *Pacta conventa* between Them and the *Parliament*, they should have the *Bishops* and *Deans* and *Chapters* Lands settled on their *Church*, whereby their *Discipline* how defective soever in weight as to Principles of *Divinity* and *Humanity*, would have made it self formidable by its *Balance* of Land: and 'tis probable, that in *Scotland* the *Livings* of the inferiour *Clergy* weighing more in value than the *Estates* or *Livelihoods* of the ordinary inferiour *Layety*, hath supported that *Clergy* there in their pretences to expect somewhat of *Power*, and which they yet enjoy in the Figure of the Church Government there Establish'd under *Bishops*: and altho King *James* in his planting so many *Benefices* throughout that Kingdom, worth 30 *l. per Annum*, with a *House* and some *Glebe Land* belonging to them, never intended any advantage to *Presbytery* thereby; he yet occasioned some by making so many *Divines* there more considerable in wealth: but our *Presbyterian* Divines here having been so fatally disappointed about the *Bishops Lands* promised them, all ingenious men must necessarily thereby be made apprehensive that they are never to hope to bring the terror of that Church Government upon us by that means.

It is moreover observable that most of the Race of our old *Presbyterian* and *Independant* Divines having been extinct, (some few of whom were Learned Men and gave some Ornament to their *Tenets* by their Learning) scarce any new ones, and who appeared not in the Church before the King's Restoration, have since by the publication of any Theological or Devotional Writings propp'd up the Credit of their Party, and that of the Ecclesiasticks of those persuasions none have published any thing valuable against Popery but some of their *old stock*.

Tho some *Presbyterians* have not hitherto learned that Modesty and Policy from the *Papists*, as to leave off their unjust valuing themselves on their *Numbers*, yet as I know not of any number of Gentlemen that would choose to live in any Parish in *England* under the severity of that Church Government, and who would not rather desire to be exterminated from their *Native Country* than to live in it with Presbytery Paramount, so neither do I believe, that Presbytery would be endured by many of our illiterate Mechanicks now more than heretofore, if they were taught its rigour.

And tho likewise another Sect of *Dissenters* more Gentlemanly than that of the *Presbyterians*, I mean the *Independants*, do in the little *Pamphlets* they write, trouble us much with proclaiming their *Numbers*, and as if they were not only the sober but the major part of the *Nation*, they are very ridiculous in trying to make themselves that way dreadful contrary to what is in Fact true.

I believe that the number of those who in the late times listed themselves in the particular gathered Churches, and subjected themselves to their Laws, and Contribution to their Pastorage, was always inconsiderable; and as an Argument, of that 'tis in this *Discourse* mentioned that the *Pastors* of the most Opulent of those Churches in *London* did most readily quit their Posts, when they could obtain *Head-ships* of Colleges, and that in a Conjunction when *Independancy* was in a manner the form of Church Government owned by the *State*.

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These Churches were always very few in the Country and are now fewer and scarce visible, unless we will call the Bands of *Quakers* by the name of Churches, and a name I do not hear they think fit to use.

I am of opinion that under the *Christian* Religion so much fuller of *Mystery* than the *Pagan*, *Jewish*, and *Turkish*, its Divine Planter did necessarily make *Christians* loving one another, the Characteristical Mark of their being such; and under the noble freedom allowed by the *Protestants* Religion to try all things, and to trust no Religionary Tenets but what they have tryed, a Heterodoxy as to some speculative supposed Tenets of the Church of *England*, may among some inquisitive persons have long gained ground, and still do so.

There was in *London* an Independant Church under *Cromwel's* Government, and Mr. *Biddell* was their Pastor, and among other Tenets denominated as those of Religion, they owned these following, viz. That the Fathers under the old Covenant had only Temporal Promises; and That the Universal Obedience performed to the Commands of God and Christ was the saving Faith; and That Christ rose again only by the Power of the Father and not his own; and That justifying Faith is not the pure gift of God, but may be acquired by mens natural Abilities; and That Faith cannot believe any thing contrary to, or above reason; and That there is no Original Sin; and That Christ hath not the same body now in glory in which he suffered and rose again; and That the Saints shall not have the same body in Heaven that they had on Earth; and That Christ was not Lord or King before his Resurrection, or Priest before his Ascension; and That the Saints shall not before the day of Judgment enjoy the Bliss of Heaven; and That God doth not certainly know Future Contingences; and That there is not any Authority of Fathers or General Councils in determining Matters of Faith; and That Christ before his death had not any Dominion over the Angels; and That Christ by dying made not satisfaction for us: and 'tis possible that such Religionary Tenets as these, which are far from being *de lanâ caprinâ*, and are contrary to the Articles of our Church may not be extirpated: tho yet I believe there will never be any Fermentation in our Church or State produced here by them, if in course of time any of them should happen to be the Sentiments of any of our Princes: and much less that any Prince, if so opining, would confute others as Hereticks with Fire and Sword, and as *Calvin* confuted *Servetus*.

There was likewise in our Metropolis another Independant Church, of which Mr. *John Goodwin* was the Pastor, and by which Church the Tenets of *Arminius* were received, and which tho they have ceased to ferment the State, yet the opinions of men equally pious and learned will in all likelihood be always different about the same: and as to these Tenets, the Questions are not such as are called *Questiones Domitianæ*, or of catching of Flies.

But there is a sort of Questions that is little better, and that in our busie World will not usurp the time they have done, and that is, such as are of the Nature of that I have spoke of toward the Close of this Discourse, that made the fermentation in a Church of Separatists that went hence to *Amsterdam*, namely, Whether *Aron's Ephod* were blew or Sea-green: and tho I have asserted it, That mens liberty of professing Religionary Tenets may be reckoned as a part of their Purchase by Christ's Blood; yet methinks to make the Son of God leave the Bosom of his Father, and take a Journey from Heaven to Earth to impress on it right Notions about the lawfulness of signing Children with the Cross, or of mens kneeling at the Sacrament, or

The Preface to the Reader.

standing at the Creed, or bowing at the name of Jesus, or of placing the Communion Table in the East, or of wearing Surplices, Tippetts, Lawn-sleeves or square Caps, or of keeping of Holy-days, or singing Psalms to Organs, and to resolve the World in some plain points, as namely, Whether the Sovereign Power may not lawfully enjoyn the observance of the external Circumstances of Divine Worship, which every man doth in his own Family? or Whether it be not as lawful for the Sovereign Power to enjoyn kneeling at the Sacrament, as 'tis for private Persons to command their Flocks not to kneel? and the resolving who doth most hurt by Christian Liberty, either the Magistrate, who, commanding me to kneel, tel's me the thing is in its own nature indifferent, and that he doth not and cannot change the nature of things in themselves; or my private Pastor, who shall tell me That my not kneeling is necessary to salvation? and the resolving the Question, Whether I may lawfully joyn in a set form of Prayer with a Congregation, when 'tis plain that another mans conceived, or extempore Prayer is as much a form to me or to another as any printed Prayer can be? or the resolving what Mr. Gataker in his Book of Lots, calls a frivolous Question as made by some Separatists, viz. What Warrant have you to use this or that Form of Prayer, or to pray upon a Book? (and to which he answers, That it is Warrant sufficient that we are enjoyned to use Prayer, Confession of Sin, and Supplication for Pardon, &c. No set Form thereof determined, therefore any fit Form warrantable: this Form that we use not unfit otherwise, this Form thereof allowable. And let a man demand of one of them when he prayeth, what Warrant he hath to use that Form that he then useth, he can answer no otherwise. So for a Book, the means of help are not determined: and this one among others: this therefore not unwarrantable. And if one of them should be asked how he proves it warrantable to use a printed Book to read on at Church: he shall not be able to make other answer than as before) and further hereupon the resolving of another Question, viz. Whether one man eminent for Piety and Learning, or perhaps eminent for neither, is able without premeditation to make as fit a Prayer for the People to say Amen to, as a hundred Persons eminent for both are able to frame with long study? I say to make an Elias and much more the holy Jesus, to come down from Heaven to solve such doubts as these, is an extravagance Parallel with the Error of those old Poets, who would on all occasions introduce Gods to end doubts that were never fit to be begun by men, and wherein there was not dignus vindice nodus, and against which the judicious Poet gave the known Caution of, Nec Deus interfit, &c.

The holy Jesus by his Tacit Rejection of Questions as impertinent (that the World thought of more moment than some such as are above named) when he forbore to give his thoughts of Pythagoras his pre-existence of Souls upon the Question put to him, viz. *Who did sin this Man or his Parents that he was born blind?* shewed he thought it not for his honour to have it supposed that it was part of his Errand from Heaven to set the World right in Speculations of Philosophy; and so he threw that famous Notion off as a *Titivilitium*.

Chemnitius in his *Harmony* taking notice of our Saviour's reprehending in the Pharisees their use of Oaths, and thereby invoking God as a Witness in the Occurrences of their common talk and Conversation, saith, *In re levi ne magnum quidem virum in testem vocare auderemus:* as I find him cited by Mr. Gataker in his Book of Lots, and wherein he doth so learnedly confute the superstitious conceit in some of the unlawfulness of the use of Cards and Dice in recreation, as likewise the other

of

of mens being obliged to count every thing unlawful that they have not a Scriptural Warrant for.

Yet since his writing of those Books of *Lots*, thousands of such our superstitious Protestants have not scrupled to throw the *Dye of War*, and to appeal to the *Lord of Hosts* by the *Decision* of Battel to signalize the truth in some of those nugatory and others of those *plain* points before-mentioned: and our Land groans under the guilt of the Blood of hundreds of thousands of Subjects as well as of the Royal Blood, by *Questions*, on which an ingenious man would scarce think a drop of Ink necessary to be spent.

But I have in this *Discourse* express'd my belief, That the fierceness of our *Dissenters* humour of quarrelling about such little *Ceremonial* matters will be naturally reclaimed by the influence of the Civility appearing in the many *French* Protestants here, into a *Complaisance* with our King's and Church's enjoyned Ceremonies, that all the learned *Books* of our *Divines* have not been able to work in them: the Civility of the *French* humour making it natural to those Protestants (as I have remarked) not only to comply with Princes but even their Fellow Subjects in the use of all Ceremonies they expect: and as I have in many places of this *Discourse*, and particularly in p. 239, expressed my thoughts that the *ficarious* Principles of the *Jesuites* will naturally evaporate by fear and shame; so I have in the following *Page*, that all *Rebellious* Principles of any *Nominal* Protestants *will by fear and shame in our populous English World be abandoned*: and do think, That to the *shame* of quarrelling about little matters, the shame of doing it before *Strangers*, being super-added, will prevent our future disquiet thereby.

Let them ask those *Protestants* who are fled hither from Persecution (the Circumstances of which are with great Judgment stated by Dr. *Hicks* in his Excelent printed *Sermon* on that Subject) if in case their great Monarch had excused them from Conformity to the *Gallican* Church in the points of Praying in an unknown Tongue, and the Worshipping the *Host*, and the Forbidding the Cup to the Layety, and the other momentous Religious points controverted between Papists and Protestants, and had enjoyned them only such things as our Religion by Law Established doth, whether they would have with the hazard of their lives made a migration hither from the best Country in the World, their Native Soil, or have made their Monarch and his Ministers at home uneasy by Complaints of Persecution, and by raising of any dust about unnecessary *Questions* as aforesaid.

Leo Afer tells us, that the Inhabitants of the *Mountain Magnan* on the Frontiers of *Fez*, have not thought fit to be at the Charge of any settled Judicature or *Parade* of the Law to support their *Polity*: but to the end their Controversies emerging may be decided, and that impartially, they stop some Travellers passing that way, to give Judgment in the same; and that himself in his passage there was detained many days to perform the Office of a Judge, and that his performance of the same was rewarded by the Inhabitants, defraying the Charges of his Stay: and some of those People were ashamed perhaps to trouble him, a Stranger with *vilitigation*, or *querelles d'alleman*.

And thus perhaps may those Protestant Strangers that Providence hath sent hither, prove to our Religious branglers useful itinerant Judges, and their patience in their Judicature will in my opinion deserve to be well rewarded, and for the greatness of its burden from the minuteness of its

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Controverted Causes, and whereby Strangers are imposed on by as needless trouble as *Travellers* would be if in the several Territories they passed through, the Inhabitants should desire them to *weigh* their *Air*. But I hope the Non-Conformists to the *Gallican* Church will find those to ours ashamed to entertain them here with the *Crambe* of old Controversies of Ceremonies and things Indifferent; and that those Strangers will not find themselves invited hither by Nature as to a *Theatre*, where they shall only see our *digladiations* with *Air*, or *beating of the Air* (as the *Scripture* Expression is) and much less where they shall see any Dissenters *implicitly* swallowing the *Doctrine* of *Resistance*, and weighing nothing but *Air*.

It was (I think) a little before the Migration of so many *French* Protestants here, that some of the *Fæx* of our Dissenters were so shameful as to Nick-name our Clergy: But I do account that the inquisitive and Philosophical *Temper* of the Age, shining with so much lustre in our *English* Clergy (and which *temper* is as naturally accompanied with the gentle warmth of Charity for the Persons of different Opiners as light it self can be with heat) is a sufficient *Guarranty* to all Protestant *Recusants* of their finding from our Church all the favour, I will not say that they have deserved from it, but all that they will or can: and I believe the Charity of our Church-men is so great for them as almost to tempt them to wish That there were some *dignus vindice nodus* in the Religionary part of *Dissenters* Principles, that might give our Clergy a signal occasion to display the before mentioned *Characteristical* mark of *Christianity* in loving the Persons of Men dissenting from them in any matters of moment.

They have experimented this *temper* of our Divines in Dr. *Stillington's* Book of the *Unreasonableness of the Separation* after so many of their *Waspish Pamphlets* had attacked his Excellent *Sermon* of the *mischiefs of separation*: and the soft insinuations of reason, in which having produced from them so much unmanly passion, may serve as an *indication* that the present *Dissentership* is languishing under its old Age, when the gentlest weight and even when the *Grass-hopper* is a burden to it.

They have seen this happy *temper* appearing in some of our most Celebrated Divines not being exasperated against the persons of one another, though owning *Sentiments* different from our *Articles* and Homilies. And indeed 'tis natural to any man of a great *Genius* (and of such illustrious Abilities that all the several Religionary Parties think of, with the wish of *Utinam noster esset*) in some Notions peculiar to himself, to soar above the common flight of the ordinary Observers of their Rules and Prescriptions, and not to be fled out of the hearts of those of their Sect, when some times he towers out of their sight and above the reach of their understandings.

I have in the Learned Theological Writings of Mr. *Baxter*, concerning *Justification*, contemplated his great parts and abilities: and have likewise observed the great Learning of Doctor *Tully* appearing in his *Justificatio Paulina*, and where he saith, That in the point of *Justification* the Controversy is not de muris, sed de Palladio Christiano: and have moreover read Dr. *Tully's* printed Letter to Mr. *Baxter* wherein he chargeth him (whether justly or no I enquire not) for seeming to place most if not all the differences that are in the point of *Justification*, between us and the Church of *Rome*, among *Logomachies*, p. 16th, and useth to him these words in p. 17. But seeing you are so busie in turning our greatest Con-

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troverfies with the Papiſts into a Childiſh Conteſt of words, and in p. 21. he deſires him, That he would conſider the great affinity his Tenet of Juſtification hath contracted with the Roman, and in the ſame Page deſires him to take his Balance and weigh more diligently, that he might ſee only the very ſmall odds between his juſtification and the Council of Trents.

That great Adorner of the Church of England both with his Learning and Piety, Dr. Hammond, thought it not ſo acceptable ſervice to the World to fill it with more Volumes againſt the Idolatry of the Church of Rome, as to diminifh it by diſtinction, and when in his Tract of Idolatry §. 64. p. 41. he makes the worſhipping of the Hoſt to be only material Idolatry, tho he knew as well as any the *Homilies* of our Church, and that without the *formale peccati* as well as the *materiale*, there can be no ſin of Commiſſion, and that in all things *forma dat eſſe*.

Our Famous Dr. Jeremy Taylor likewise in his *liberty of Propheſying*, p. 258, doth free the Papiſts from Formal Idolatry. Thus likewise tho our Homilies and our Jewel, Raynold, Whitaker, Uſher, &c. and the Translators of our Bible into English in King James's time did place the Name of Anti-Chriſt, and the Man of Sin on the Biſhop of Rome, yet Dr. Hammond as well as others of our Church have publickly avowed their Sentiments of the Popes not being ſo.

I have not mentioned this as if I thought that any of our excellent Divines of the Church of England, would ever occaſion the leaſt umbrage of jealousie in any Future Conjuncture, about any deſign of uniting our Church to Rome, or Rome's to ours: the common Rule in Politics of *minor pars unita majori cenſetur facta illius appendix* (and which is exemplified by the Church of Rome, not having been united to all the Aſiatick, African, Græcian, Ruſſian and Proteſtant Churches, as containing three times more Chriſtian Souls than doth the Church of Rome with all its Dependents and Adherents) and the ineffectual Project of ſome well meaning Divines in a former Conjuncture here, will I believe effectually avert all future jealousies of any thing of that Nature, or the danger of any in the Veſſel by trying to pull the Rock to it, bringing it *ſuper hanc Petram*. From various grounds of natural reaſon, I may venture to predict that the beſt Evangelical Church and the beſt Clergy the World can ſhew, will direct their meaſures ſuitably to thoſe Words of the great Evangelical Prophet Iſaiah, *Their ſtrength is to ſit ſtill*, and without any faith to remove the ſeven Hills or Mountains of Rome hither, or on their ſullen Contumacy reſolving like Mahomet to go to the Mountains.

Among the various Conſiderations urged in this Diſcourſe to fortifie the minds of the Loyal timid againſt their unaccountable fears of Hereſy in any Prince as to the Religion by Law Eſtabliſhed, rendring him a meer natural Agent, or one without freedom of will as to the point of freedom of their Conſciences, and depriving him of the Brains as well as Bowels of a Man, and againſt impreſſions of trouble from what ſo many Writers have inſinuated, namely, that a Roman Catholick Prince muſt by virtue of the Authority of the Lateran Council exterminate his Heretical Subjects, I have in p. 283 mentioned that the Munſter Peace hath in Germany, cured the timid Lutheran and Calvinist Subjects of any fears and jealousies as to their Religion and Property upon any Prince by the Lineal Courſe of Deſcent coming to be their Ruler, who may profeſs any Religionary Sentiments different from theirs.

And becauſe the factum of that Peace hath not by any Writers ſince our late fermentation (that I know of) been inſiſted on for the illumination

The Preface to the Reader.

of Peoples understandings in the firm Provision made there for mens being secure in their Religion by Law Established, whatever the Religion of their lawful Princes may be, I shall here give some Cursory Account of the great *Fact* of that Peace (and wherein some Popish Princes made so great a Figure, and who sufficiently understood how far the *Lateran* Council obliged them) that may not only shew it a kind of Pedantry to imagine that *Roman* Catholick Princes are still by their Religion bound, after all the Revolutions of time and its incursions made on their former measures as to Heterodox Religion and Religionaries, to use the same Methods as formerly, and to move in the same Line as heretofore, (just as some *Crabs* on the Land are observed in the *West-Indies* to be so fullen in their way, that rather than they will move in the least on any side, they will go over a House or a Tree) but may likewise serve as a *Præmunimentum* to secure men in all future times against the fear of any danger to their Religion by the *Heterodoxy* of their *Princes*, a thing that may be expected often to happen, since People can no more promise themselves that their Princes will successively resemble one another in their understanding faculties than in their bodily shapes.

Thus then sufficiently for the purpose above mentioned the *Reader* may take the *Scheme* of that matter.

It may be observed that in *Sueden* and *Denmark* and in all the Territories of the lower and upper *Saxony* where ever Protestants have the sole power, no Papists are permitted to have any publick exercise of their Religion: and that in *Austria*, *Bohemia*, *Moravia*, and all the Hereditary Lands of the House of *Austria*, *Bavaria* and the upper Palatinate, where the Papists have the sole Power, no Protestants are suffered to have the publick Exercise of their Religion. And these whole Territories above mentioned being entire bodies within themselves, under one head either of the one or the other Religion, without the intermixture of different Dominions, are uniform in the exercise of their Religion respectively different.

But the intermediate parts of the *German* Empire are interwoven under several Princes of different Religions, and therefore are of mixt Religionary professions: that is to say, those professions are exercised some here, some there in different places: and because the Inhabitants of the *intermediate* Territories being mixed and pretending to have each of them a right to the same places of Worship, various Quarrels did arise among them: therefore when they deprived one another of the freedom to exercise their Religion, the Treaty of Peace at *Munster* and *Osnabrug* in the year 1648. did appoint the restitution of places for the publick exercise of Religion on both sides, and ordered that all matters of this kind should be thence forward settled as they were in use heretofore in the Year 1624: which Order occasioned a *Deputation* from all the *States* of the *Empire* at *Francford* in the Year 1656, and 1657 and following, to see that Decree and other matters put in Execution.

Those *intermediate* Territories are the Circles of *Westphalia*, of the *Rhine*, of the *Welterans*, of *Franconia*, and of *Suaben* containing many Principalities and great Cities, depending immediately upon the *Empire*, which being of different Religions and mixed one with another, in respect of their Territories and Jurisdictions, none that in the time of War was prevalent, did suffer a different Religion to be exercised: but since the Instrument of the Peace made at *Munster* and *Osnabrug* was published, the liberty of Religion is to be regulated universally by the 7th
Article,

Article, and some other *Articles* determining matters between *Protestants* and *Papists*: and according to this *Constitution* altho some Territories, which formerly were under Protestant *Princes*, are now under a Popish power, and *vice versa*, yet the liberty of Religion is to be left to each Party as it was used in the year 1624.

Thus the Duke of *Newburg* and one of the *Landgraves* of *Hessen*, and a Prince of *Nassaw* are obliged to leave to the *Protestants* within their Dominions, the free exercise of their Religion. And so in some of the *Imperial* Cities, as in *Francford*, *Ausburg* and others, the *Papists* have the free exercise of their Religion restored to them among the *Protestants*.

At *Ausburg* the Magistracy is half of the one and half of the other Religion: but in all the other *Imperial* Cities the Magistrates (I think) were wholly *Protestants*, except at *Collen* and *Heilbron* where they are wholly *Papists*.

If any one considering the sharper Animosities between *Lutherans* and *Calvinists*, then those between either of them and the *Papists* (accordingly as we are told by *Tacitus*, that *Odia proximorum sunt acerrima*) shall tell me, That if the Treaty of *Munster* and *Osnabrug* did plant Civility among *Lutherans* and *Calvinists* as to the Persons and Religions of each other, it did wonders, I shall therein accord with him, and that it was somewhat like that of the pulling down the *Partition-wall* between *Jew* and *Gentile*; and that tho *Luther* a more *Cholerick* yet (I think) a better natured man than *Calvin*, did sufficiently in his Writings inveigh against the asperity of Magistrates in punishing Heterodoxy (and particularly in his Tract, *De magistratu sæculari: parte secundâ*, where he tells Chief Magistrates so doing, viz. *Per Deum sancte juro, si id verum, tantillas vires in vos acceperit vestra negligentia, nulli estis, etiamsi siguli non essetis inferiores Turca ipso, potentiâ: neque vestra crudelitas & rabies vobis quicquam commodabunt*;) yet many of *Luthers* followers did not imbibe that his opinion, and as appeared long ago by a dreadful instance of this in Queen *Mary's* time, when *John a Lasco* Uncle to the King of *Poland*, and many Families of Strangers who had been here received by *Edward* the 6th, were banished by Queen *Mary*, and went for *Asylum* to the King of *Denmark*, but (as I have read it in the *History* of that Migration of theirs writ in Elegant *Latin* by *John a Lasco*) he renders their usage in *Denmark* by the Clergy and Populace to have been very severe, and makes the first Course in their Entertainment to be an *Invitation* to Church some days after their landing, on pretence of being instructed, and the hearing there *Calvin* and themselves publicly lampoon'd or railed at: and because that pleased not their palates, their next was, an Edict to be gone from the *Metropolis* in a peremptory short time, when the Season of the Frost in that Country was so extremely afflictive, and without permission for their Sick or Infants or Women with Child to stay for the Clemency of better weather; and whereby many of them there died with the extremity of the cold in their Journeys. And it had been in a manner as eligible for them to have stayed and perished in *England* by the Fires of Queen *Mary*: And *Alsted* in his *Chronology* speaking of what happened in Queen *Mary's* Reign, saith to this purpose, *Multi ob Religionem mutatam, Angliâ relictâ primò in Daniam, deinde in Germaniam veniunt: nam in Dania non poterant habere locum, per theologorum rabiem: inter exules fuit Johannes Lascus Polonus.*

But

The Preface to the Reader.

But I can by the *Munster Peace*, direct the *Reader* to see that old *Lutheran* bigotry and hatred of the Persons and Religion of *Calvinists* exterminated out of *Germany*, whereby it is determined as by a *Statute Law*, that the *Calvinists* shall have the same right for the free exercise of their Religion which the *Lutherans* and *Papists* have, and that to the end that any might be ashamed of pretending to be afraid of any detriment that might accrue to their Persons or Religion, under a *Lutheran* or *Calvinian* or *Popish* Successor, and that all might be really afraid of dishonouring God and wounding their Consciences, by prejudicing the Inheritable Rights of those Princes Successions, it is thus further determined by the 7th Article of the *Instrumentum pacis Cæsareo suecicum*, §. 1. viz. *Unanimi quoque Cæsareæ majestatis omniumque ordinum consensu, &c.* 'Tis likewise thought fit by the unanimous Consent of the Emperor and all the States of the Empire, that whatever right or benefit both all the other Constitutions of the Empire, and the Peace of Religion, and this publick agreement, and the decision of all Grievances therein do allow to all Catholick States and Subjects, and to those addicted to the Augustan Confession, the same shall likewise be allowed to those that are called the Reformed, (i. e. Calvinists) with a Salvo to the States called Protestants (i. e. Lutherans) as to all things Covenanted and agreed between themselves with their own Subjects, and as to all Privileges and other dispositions whereby Provision was made for Religion and its exercise and the things thereon depending, by the States and Subjects of each place, and with a Salvo to each for the freedom of their Consciences. Now because the Controversies of Religion which are in Agitation at this time among the forenamed Protestants have not been hitherto reconciled, but have been referred to a further endeavour of agreement, so that they still make two Parties: therefore concerning the right of reforming it is thus agreed between them: that if any Prince or other Lord of the Territory or Patron of any Church shall hereafter change his Religion, or obtain or recover a Principality or Dominion either by the right of Succession or by virtue of this present Treaty, or by any other Title whatsoever; where the publick exercise of the Religion of the other Party is at present in use, it shall be free to him to have his Court-Chaplains of his own Religion about him in the place of his Residence, without any burthen or prejudice to his Subjects: but it shall not be lawful for him to change the publick Exercise of Religion or the Laws, or Ecclesiastical Constitutions which have been there hitherto in use, or take from those their Churches whose they formerly were, or their Schools or Hospitals, or the Revenues, Pensions and Stipends belonging thereunto, or apply them to the men of their own Religion, or obtrude on their Subjects men of another Religion, under the pretence of a Territorial Episcopal or Patronal Right, or under any pretence whatsoever, or bring about any other hinderance directly or indirectly to the Religion of the other Party, &c.

In fine, here hath been a great *Pacification*, and the same agreed on to be a perpetual Law, and *pragmatick Sanction*, and as strongly binding as any Fundamental Law or Constitution thereof, comprehending in behalf of the Emperor, all his Confederates and Adherents, first the Catholick King and House of *Austria* the Electors and Princes of the Empire, the *Hanse Towns*, the King of *England*, the King of *Denmark* and *Norway*, and all the Princes and Republicks of *Italy*, and the States of *Holland* and others, and in the behalf of the Queen of *Sweden* all her Confederates, the most Christian King, the *Hanse Towns*, the King of *England*, the King of *Denmark* and the *Dutch States*, &c.

Well :

Well : but yet it may be by our timid Protestants objected; that all these Roman Catholick Princes thus projecting the Peace of Germany and that of Christendom, did in this great *Instrumentum pacis* and the *pacta Conventa* referred to, but reckon without their *Host*, I mean the Bishop of Rome, and that one Bull against it from Rome would thunder it to nothing, and render it voidable or void, and that all the Concessions to Heresie and Hereticks, and hindring their Extermination were nugatory, and that such a written Treaty carried in it, its own deletion and that of Hereticks, and that the *Bulla Cænæ* every Maundy Thursday Excommunicates and Curfes all Lutherans, Calvinists, Hugonots, and their Receivers, Fautors, and Defenders, and that the many immunities granted to Hereticks by this Peace as likewise Lands and Territories, and the Erecting of Bishopricks into Secular Principalities, and settling them on Heretical Princes and their Heirs forever, whereby so much prejudice accrued to the Roman Catholick Religion and the Apostolick Sea, would probably engage the Pope some time or other to quash it as null, and to damn both the Peace and all that made it.

I answer, that within two days after the making that Peace, the Popes Nuntio at Munster protested against it: declaring that he made that Protestation by the Pope's express Commands: and on the 26th of November 1648, Pope Innocent the 10th issued out his Bull against it from Rome called, *Sanctissimi Domini nostri Innocentii divina providentia Papæ. X. Declaratio nullitatis articulorum nuperæ Pacis Germanicæ, Religioni Catholicæ, sedi Apostolicæ, Ecclesiis aliisque locis piis ac personis & juribus Ecclesiasticis quomodolibet præjudicialium, ad æternam Rei memoriam.* And he therein blames the Emperor and his Confederates and the most Christian King, on the account of the perpetual abdication of some Ecclesiastical Goods and Rights possessed by Hereticks, and for their permitting to Hereticks the free exercise of their Religion by that Peace, and their being further Authorized by it to bear Offices and enjoy not only Church Livings but Bishopricks, and Arch-Bishopricks: and in fine, that Pope having made it null and void, further declares, *That if any have sworn to observe the Articles of that Peace, such Oath shall not bind them.*

But what did this Declaration from his Holyness signify in that Case? No more than one from Prester John would have done. The Emperor and Princes of Germany did gloriously stand to their *Pacta conventa*, and took care to see the same solemnly ratified and executed notwithstanding the Papal Declaration of their Nullity. They knew the Pope's Nuntio would soon protest, and the Pope himself declare against the Peace: and had therefore in Terms therein agreed, *That no Canons or special Decrees of Councils or Concordats with Popes or Protestations, or Edicts, Rescripts, Mandates or Absolutions whatsoever should in any Future time be allowed against any Article of it.* And they likewise knew that the Pope's Declaration of the Nullity of that Treaty would contain no Threatnings of Excommunication or Damnation against their Persons, but only *Quelques choses* or things of Course, or to speak more properly Nullities of Course: and that while all Christendom was embarked in that Treaty and going with full Sail, and favoured with a strong Gale of Nature into its Haven of Rest, and being to pass by the Popes Fort, and had resolved against lowering their Flag to it, the Pope would of Course fire some Bulls of Nullity at them Charged with no significant Shot, and as it is usual for the Forts of Princes to do to Ships that pass by them without paying the expected Civility, and the Shot from which is not valued by Capital Ships

The Preface to the Reader.

Ships that pass by them with a strong Gale of Wind: and which perhaps think it not *tanti* to fire again upon the Fort; nor doth that perhaps throw away more shot on them.

And thus stood this *Munster* Peace, wrought (as it were) by the consent of the Crowned Heads and States of Christendom, and thus it stands; and any who will look into the *Empire* will find those *Pacta conventa* as to the part of the Emperor and Princes of the Empire outbraving the chances of time to this year (how much soever the Emperor may be supposed to have been steer'd by *Jesuites* Councils) and likely still so to do, whereby the various Rights and Religions of *Princes* and their Subjects have been secured, and whereby we may see how *unstudied* those men are in the great Book of the World, who think that Popish Princes will not go on in the Course of their Politicks, tho the Pope should seem in earnest or in jest to stop them, and that they cannot tacitly reject the Papal Declarations of Nullity, and yet continue Civil to the Pope and his Church.

The firm continuance of the *Munster* Peace to the year 1680, is mentioned by the Author of an ingenious Book called, *The Interest of Princes and States* that year published, and which goeth under the name of Mr. Bethel, and where 'tis moreover observed in p. 155. That among the *Lutheran* Princes the Prince of Hannover was lately turned Papist, and likewise one of the House of the Landgrave of Hessen, Darmestat and another of Mecklenburg lately turned Papist, but their Countries do all continue Lutherans, and among the Calvinist Princes he mentions the Elector of Brandenburg, but saith, his Dominions are most Lutherans, and where in p. 156. 'tis his Observation that of four Popish Princes of the Empire, all their Countries are Lutherans, and saith, the Princes in this Country (meaning Germany) have no great influence on their Subjects in point of Religion: and saith, That in several Countries belonging to Popish Bishops and Abbots, many Lutherans and some Calvinists have not only a Right, but do also actually enjoy the publick exercise of their several Religions without disturbance, and much more without Persecution: and further instanceth in other places in Germany where the Proprietors are mixt of several Princes, Earls, Free Cities, and Romish Ecclesiasticks which causeth in each of them the like Variety in Religion, and some there being Lutherans and Papists and others being Calvinists, Lutherans and Papists.

And thus we see instead of the Popes having nulled the *Munster* Peace *cum effectu*, the *Nulla fides servanda cum hæreticis*, hath been nulled in Germany by Popish Princes, and which if they had not done, *Luthers* aforesaid *nulli estis* had been their doom: and the Empire it self had scarce been more than a substantial Nullity, as I may say alluding to what *Vantius* in his Book, *De Nullitatibus* makes such. In plain terms the Germans had not else been now a Nation, nor would the Emperor again have been saluted by the Grand Signior, as I have in some of the Commminatory Letters from the Port observed him called, *viz. Lord of few Regions*: and this any one (I think) will grant who shall consider that all the relaxation he hath had either of intestine troubles or Foreign between the years 1648 and 1680, hath made his Circumstances as to Power and Riches appear but just proportionable for holding his own (with the help of his Neighbours) against the Turk.

I have observed great right done to the Emperors Politicks in that Peace, by a printed Panegyricall Oration made by *Henricus Schmid*, a Famous Professor of Divinity in *Tubing*, for the Celebration of the *Munster* Peace,

Peace, and wherein he saith, That the Emperor preserved thereby at least the lives of eleven times a hundred and ninety two thousand Myriades of men (that is of 21 thousand, 1 hundred and 20 millions of men) and whereupon the Panegyrist pronounceth, That the World was blest by a new Æra from that Peace : and some of the Expressions in that Oration for that purpose being very memorable, I shall here set down, viz. *Ferdinande Cæsar Auguste, pie fælix triumphator, salve, Fælicior Julio Cæsare qui gloriabundus fatebatur, undecies centena & nonaginta duo millia hominum præliis à se occisa; atque ita ut non veniat in hanc rationem stragem Civilium bellorum, Tua, Imperator, quàm major esse non potest, gloria & claritudo erit, totidem Myriadas aut plures non maclassè sed servasse. Maçte animo isto tuo, imperator, &c. Tuis auspiciis novum Calendarium Juliano longe melius ac emendatius orbi Christiano exhibetur, quod pacis æra insignitur, &c.*

The Panegyricall Orator did in his *Calculation* of the Lives saved by the Emperor, use more than Poetical Licence, as any one will probably think who shall read what Sir W. P. in a printed *Discourse* hath mention'd of Critical Persons having judg'd that there are but 320 Millions of Souls now in the World : and according to some ingenious mens Calculations I have seen in print concerning how much at a Medium each head may be supposed to add to the Riches of a State per year, and thence making each to be therefore valuable at 80 l. Sterling, the Panegyrick may be said to have made the Emperor preserve for the World by that Peace 1 Hundred 68 Thousand 9 Hundred and 60 Millions of Pounds Sterling.

But leaving so exorbitant a Sum for the disposition and *Assets* of *De-go's Will*, and (*raillery* apart) accounting the lives of the hundreds of thousands slain in Germany on the Score of the Excommunication of Princes and Emperors, (as I have in p. 68 mentioned out of *Erastus* and suitably enough to *Historical* truth) to have been valuable to the Empire at but half of 80 l. each, it may well be supposed that it was a very vast Treasure that Germany hath lost by its Wars and preserved by its said Peace.

Yet is there one way assignable from which it may be deduced that the value of what the Emperor preserved was as much really too short, as from the Panegyrist's account it appeared extravagant ; and that is this, viz, The Emperor by that Peace having kept so many from afterward destroying their own Souls by destroying others Bodies, may be truly said to have preserved what was invaluable, we know who having judg'd it that there is no proportion between the wealth of the whole World and one Soul.

And now having by the deduction of the great *Fact* proved the Practicableness of the happy continuance of the luscious blessings of Peace and Unity of affections among Princes and their Subjects of different Religions, I shall here in the Close of the Consideration of the same, entertain the Reader with this last pleasant agreeable Scene of it, which Scene will represent to him the fair Church built at *Fredericksburg* by the present Prince Elector, one of the fairest Churches in Germany : and which was by him in our great year of fears and jealousies and fatal discords, namely 1680, finished and dedicated to *Holy Concord* and *Union* perhaps in Contra-distinction to the Term of *Holy Church* : and its Dedication and Consecration was with great Devotion solemnized, and not without the choicest Vocal and Instrumental Musick that could be thought proper to be used then, and with which the Offices of the Ceremony began : and the

The Preface to the Reader.

the *Musick* being over, there was an inaugural Oration there made in the honour of *Holy Concord*, and of the *Dedication* of the Church to it. And after that, the Prince Elector (who is a *Calvinist*) engaged Doctor *Fabritius* Principal *Divine* to his *Electoral* Highness, to preach there; and in the *Afternoon* of that day another *Sermon* was there Preach'd by a *Lutheran* *Divine*, and in the *Evening*, another *Sermon* was there made by a *Roman-Catholick* *Divine*: and they all made pious and learned *Sermons* in order to the propagating of *Holy Concord*, applauding therein the Electors design, and with a most devout attention all those three *Divines* were present at each others *Sermons*.

Nor was any of his Popish Subjects then afraid that he would infringe the rights of the exercise of their Religion, because the *Papal* Interest had been so active in bereaving his Family of the *Bohemian* Crown as well as of its ancient Rights, many of which are forever abdicated from it by the *Munster* Peace.

Thus on this Rock of the *Munster* Peace was the *Holy Concord* of holy Church-men discordant in opinions founded abroad by a Prince allied to the Crown of *England*, and whereby the opposite Religionary *Opinors* quitted their Antipathys against each other, and the Lion made under his Government to lie down with the Lamb, at the same time that we groaned under a judgment more opprobrious than that threatned to the Jews in *Leviticus*, namely, *The sending of wild Beasts among them*, I mean that of our *Populace* being frightened and worried with *Chymæras* and with *Chymeric Ideas* of all Popish Princes being bound to have the Council of *Lateran* by heart, and to observe it *semper & ad semper*, and without the Latitude of *Prudence* which the very *Definition* of *Moral Vertue* makes *Essential* to it (as I may say with allusion to *Aristotle's* *sicut vir prudens eam definiat*) and to lose themselves in catching of *Tartars*, and to have forgot the Saying of *Solomon*, That in the multitude of the People is the King's honour, and the want of people is the destruction of the Prince, and with the *Idea* of a Heterodox Prince swearing to maintain the Laws and yet breaking them, and with another *Idea* as horrid and monstrous, namely, that men might observe their Oaths acknowledging *Allegiance* to Kings and their Heirs and Successors, and yet exclude their Heirs and Successors from the Throne by a Law.

It was an Observation worthy of the Doctor of the Gentiles, and which he inculcated to the *Corinthians*, namely, that τὸ γῆμα τῆ κόσμου the fashion of this World passeth away.

I have in this *Discourse* mentioned that in the year 1212, the *Lateran* Council brought in *Transubstantiation* as an Article of Faith, and decreed Princes were to be compelled to exterminate Hereticks: but the World hath been often *Transubstantiated* since that time, and its substance that the *Apostle* calls its fashion hath been ever in *transitu*: and the fashion of that *Lateran* Council is so far passed away that Protestant Writers are somewhat put to it to prove it to have been a *General one*.

There was a scurvy fashion long since in the World abroad, and that was the fashion of mens sowing a piece of red Cloth on their Garments, when the Monks had Preached them into *Crusados*, for the *Exterminium hæreticorum*, and by Virtue of one of which *Crusado's* *Bellarmino* boasts that 100,000 of the *Albingenses* were slain; but that fashion hath been long left off in the World, and the World been since no more outraged by it than by the *Fraternity* of the *Rosy Cross*, nor so much as our *English* World hath been by some who have troubled it about the sign of the Cross.

It

It was a saying of the old Greek Philosphers, ὁ κόσμος ἀλλοίωσις: and the Papal World is as to many of its *Politicks* quite another thing from what it was. *Azorius* in his *Instit. Moral.* observed in his time, *That it falls out often that that which was not the common opinion a few years ago, now is.*

Some of our *timid* Protestants who do not know the *Papal, Lutheran* and *Calvinian* World, because they see it not in the *Antique* fashion they heard it was dressed in 30 or 40 or 50 years ago, seem to have been asleep since the *Munster* Treaty, and to have dreamed that such fashion would never alter, and are like *Epeminides* that the old *Fables* mention to have fetched a sleep of fifty years, and who found himself lost in the World at his wakening, wanting the sight of the old fashion to shew him where he was.

I have therefore a great Compassion for those Protestants who take the measures of their Religion and *Politicks* in a manner on'y out of the *Revelation*, and who think that almost all the *Predictions* of that Book were made only for *England*, and that *England* was made to be governed only by their fancies, and their fancies to be given up only to fears of all ill fashions of things and principles in the World being unalterable, tho there be scarce a Chapter in that Sacred Book but what refers to Changes and Revolutions, and to moving the unwieldy bulk of Empires by unexpected and irresistible Turns of Fate.

The old *Fashion* of the Popish Writers asserting the Right of the Bishop of *Rome* to take away *Hereticks* lives by virtue of that Branch of the *Judicial* Law of the *Jews*, *Deuteronomy* 17th, hath been long exterminated by them. The words of the *Text* are thus agreeable to the old Latin Translation, *And he that out of Pride shall refuse to obey the Commandment of that Priest which shall at that time Minister before the Lord thy God, that man shall by the Sentence of the Judge be put to death:* and the *Calvinistick* Fashion of founding the practice of *Hereticidium* on the Authority of the *Judicial* Law is passed away. I have in this *Discourse* represented the Tenet of firing *Heretical* Cities, that is in the *Canon* Law founded on *Deuteronomy* the 13th, to be chargeable on our late *Presbyterians*; and that justly on the account of their having declared the *Judicial* Law obligatory to us: and have shewed what *Calvin's* Principle and Practice was pursuant to that Law.

The Learned *Klockius* a *Lutheran* Lawyer in his large Volume *de Aërio* l. 2. c. 86. n. 10. endeavours to acquit the *Divines* of his Religionary perswasion from the Tenet of *Hereticide*, and saith. *Nostri vero Theologi ut capitali pænâ hæreticos (contra quam plerique Calvinianorum cum Pontificiis censent) affici nolunt, ita nec bonorum confiscationem, meo judicio, concederent:* and *Pellerus* in his *Notes* on *Klockius* refers to *Thuanus* about *Servetus* his Case, and saith of him, *Igitur comprehensus, cum sententiam mutare nollet, re prius ex Johannis Calvini consilio cum Bernatibus. Tigurinis, Basileensibus & Schafusianis Ministris communicatâ, tandem ad mortem damnatus est. Ejus doctrinam postea Calvinus (quod ei ex illius invidia conflaretur) proposuit & publicato libro confutavit, quo in hæreticos etiam gladio à magistratu animadvertendum esse contendit.* But *Beza* who was a *Calvinist*, and in the first Tome of his *Works*, p. 85. asserts the lawfulness of punishing *Hereticks* with death, cites not only *Bullinger*, who was a *Calvinist*, but *Melanchton*, who was a *Lutheran*, for the same opinion: and *Zanchius* *Operum* Tome 4. Lib. 1. in tertium præceptum expressly owns that opinion.

The Preface to the Reader.

The fashion of the *Judicial Law* of the *Jews* in that point was certainly most proper for the Body of their *Polity*, as being thereunto adapted by the great *Legislator*: but to say that all States and *Polities* are bound to observe it, because God prescribed it to the *Jews*, is as senseless, as to say that all men are bound to go cloathed in *Beasts Skins*, because God did Apparel *Adam* and *Eve* in that fashion.

I have in this *Discourse* thought it of some use to the publick to have mens understandings disabused, as to the obligatory power of the *Judicial Law*, because mens erring therein hath very much encreased the fermentations in his Majesties Realms in several Conjunctions.

It is not unknown that *Deuteronomy* the 13th, and the 6th was urged to Queen *Elizabeth*, as an Argument for putting the Queen of Scots to death.

Our Kingdom hath likewise found by experience, That the *Fifth Monarchy* men, have not fired more Guns against us out of the *Revelation*, than the *Scotch Presbyterians* have out of the *Judicial Law*.

An Excellent *Discourse* called, *Fair warning to take heed of the Scottish Discipline*, printed in the year 1649, and writ (I think) by Arch-Bishop *Bramhall*, asserts in Chap. 6. That it robs the Magistrate of his dispensative Power: and saith there, Our *Disciplinarians* have restrained it in all such Crimes as are made Capital by the *Judicial Law*, as in the Case of Blood, Adultery, Blasphemy, in which Cases they say the Offender ought to suffer death as God hath commanded. And if the life be spared as it ought not to be to the Offenders, &c. And the Magistrate ought to prefer Gods strict Commandment before his own corrupt Judgment, especially in punishing these Crimes which he commandeth to be punished with death. The Books of the *Scotch Discipline* are there particularly cited by the Author.

I have been expressly cautious in the following *Discourse* to exempt the Reformed Churches abroad, from the Odium of those Principles of the former *Scotch* and *English Presbyterians* that I have impugned as Disloyal and Seditious; and was a Concurrer with many loyal Persons after part of it was written in thinking that time had untaught those Principles to most of our present *Non-Conformists*: and notwithstanding the many Seditious and Libellous Pamphlets published by some of them against the Government both of Church and State, yet such was the continuance of the Candor of the Kings Ministers to them, as that some at the Tryal of a poor seditious *Nominal Protestant* at *Oxford* occasionally declared before that wretch, *We know of no Presbyterian Plot*.

But as a *Popish Ambassador* sent to Queen *Elizabeth* began his Audience Speech wherein he was to complain of the *Turks* having unprovoked broke their League with his Master, *Erupt tandem Ottomannorum Virus*, it happened that about the time of the finishing of this *Discourse*, the poison of some pretended Protestants former Seditious Principles broke out again in a horrid Conspiracy before mentioned, and which was confessed by several of the Conspirators at their Executions, and another of whom owned the Doctrine of Resistance.

Our blessed Saviour cautioning the Christian World in the words of, Beware of false Prophets, saith, *Tou shall know them by their Fruits*.

And our famous *Whitaker* hath in his Controversies well resolved us that these Fruits whereby false Prophets are to be distinguished from true, are rather their Principles, Interpretations and Doctrines, than their Lives, it being generally observed that the Founders of Sects are exemplary for the austerity of their lives, and for coming in Sheeps clothing, as our Saviours words are.

What

What the *Principles* of the *Non-Conformists* in King James his Reign were, I have shewn in this *Discourse*, with a Remark on the Political Consideration, that after the *era* of the *Gun-powder Treason* induced them to give a *Scheme* thereof voluntarily to the Government, and namely, that they might thereby avoid the receiving a *Test* from it: and no doubt it was obvious to them that while their *Principles* were hid and concealed from the State, the warding off of *Faux* his *Dark Lanthorn* would not have left the Government secure, till it had likewise got the *Non-Conformist*, dark Lanthorn from them, I mean by the publication of their *Tenets*.

Of their *Principles* shortly after 41, the *Scotch Covenant* was a sufficient *Scheme*. And tho the *Tenets* of *Presbyterians* and *Independents* relating to their *Forms of Church Government* are enough known as is likewise the degree of their *Complicating Principles* of *Sedition* with the same, between the years 1641 and 1660: yet from that last year to this present one, they have not by the publication of any *Confession of Faith* or *Scheme* of their *Tenets*, satisfied the Government that all their *Principles* are consistent with the *Civil Polity* thereof, and that they have renounced those former *Tenets* of theirs that once destroyed it, and particularly that intolerably seditious one, viz. *That if the Magistrate will not reform the World, they may*.

But because several of their *Ecclesiasticks* have not renounced the *Irreligious* part of their former *Principles* (and which were so destructive to the Sacred Persons of Princes and their State and Government, and of all *Humane Society*) the *University of Oxford* in their *Convocation* July 21st, *Anno* 1683. did to their great honour pass their *Judgment* and *Decree* against certain particular Books of *Non-Conformists*, and *Jesuites* and others, wherein those *Tenets* and *Principles* were owned: and the very shewing of those *Tenets* to the World by such learned and loyal hands, hath been (I believe) useful in making many of the Loyal Lay *Non-Conformists* withdraw from others of them they thought therewith infected; a thing that might well be supposed naturally to happen when those of them to whom the term of *Sober Party* was most due, observed that the publication of the *Dissenters Sayings* and of the *Censure* of their *Tenets*, had not occasioned their Leaders to publish other *Dissenters Sayings*, or *Tenets* that impugned *Disloyalty* and *Sedition*, and promoted obedience to Government, and what several Writers of the Church of *Rome* have been formerly observed to do upon the Worlds minding how much the *Principles* of the *Jesuites* had shook the *Thrones* of Kings, and as particularly Father *Caron* in his *Remonstrantia Hybernorum* hath done, and there citing 250 *Popish Authors* who deny the *Pope's Power* to depose Kings.

And no doubt but *Dissenters* late *Omissions* in this kind, and *Commissions* in another, will awaken the *Magistracy* to require from all *Protestant Recusants* such an exact *Inventory* of their *Tenets* as hath not yet been given it: and the rather for that it is not by any *Dissenters* denied that the Sovereign is so far *Custos utriusque tabulae*, as to be allowed to require all *Religious* Parties to give him an account of their *Principles*, and to live according to the Rule of them.

Thus in the *Dutch States* the *Magistrates* of every place where any *Set* of the *Heterodox* is tolerated, are religiously careful, first to inform themselves exactly of all their *Tenets* and *Principles*, and to see that they hold no opinion prejudicial to the *Constitutions* of their Government:

and

The Preface to the Reader.

and none doubts but that the entire Body of the Tenets or Principles of the *Dissenters* to the *Gallican Church*, is as conspicuous to that *Church and State*, and indeed to the World as can be desired, the present agreement of which with the Measures of Loyalty I have shewn in this *Discourse*.

Who hath there read the *Hugonots Sayings* published with any stain to their Loyalty, or hath seen any of their *Tenets* branded for *Sedition* by an *University* or *College* in *France*? But our *Protestant Recusants* having had here the *liberty* by *Act of Parliament* to enjoy their peculiar ways of Religious Worship in their own Families, with the *toleration* of four others of the same persuasion to be present, before all their *Principles* and *Tenets* have been notified to the Government, is an instance of greater *Indulgence* shewn by the Government here to such *Heterodox*, than (I believe) can be parallel'd in any Country whatsoever.

All dangers are naturally multiplied in the dark: and it is a diminution of our dread of the very *Jesuites* Principles, that they are generally known: but if the Body of their Principles were as much unknown, as are those of *Protestant Recusants*, yet would the publick be more immediately concerned in having first an accurate account of those of the latter, as being more numerous.

It may be well thought a *Bankrupt Church* whose Principles are *latent*: and any mens begging from the Magistrate Indulgence to a *Principle* of *Sedition*, would be as shameful as the Insolence of a Beggar not only *legging twenty Pound* (as our *Comedian* said) but begging a Leg or an Arm: and not like a mans asking me who stands in my way as I am travelling on the Road that I would not ride over him, but that he may mount into the Saddle whose Principles direct him to ride over me.

It was well observed by *Lipsius* in his Notes in *Seneca*, That *Naturæ quodam Instinctu ea maleficia coercent homines & puniunt quæ societatem convellunt*.

But as to any Out-rages from any *Religionaries* which are either prejudicial to the Bodies of particular Persons, or even *Convulsive* of the Bodies of States and Kingdoms (and to which the Actors might be inclined by their particular *heats*, and not the general *light* of their avowed *Principles*) I account that Complaints against such will soon evaporate into Air or be buried in Earth, and with some allusion to the words of, *Let the dead bury the dead*, I may say, let *Plots* bury *Plots*, and *Shams* *Shams*, and let any Seditious Protestants and Seditious Papists on the *Compensation* of their *Crimes* forbear troubling others by calling one another *Criminals*; and the Figure of the Body of their Parties can no more be altered by the unevenness and exorbitance of the actings of particular Persons, than is the rotundity of the Earth by the ruggedness of Rocks or protuberance of Mountains.

And that where one Papist goeth out of the World at the back door of Justice, for the Treason of Clipping and Coyning, twenty of the more numerous body of the Protestants do so, is not to be wondered at: but the *id ipsum* to be regarded in any reflections made on a Religion by occasion of its *Criminals*, is its Principles: and if it could be proved that any *Cætus* of men were allowed by the Church of *England* to assert the lawfulness of that *Treason*, (as both Papists and Presbyterians have the lawfulness of the *Doctrine* of *Resistance*) that indeed would have the weight of a just *Reflection* on our *CHURCH*.

Tho

Tho several dissolute and nominal Protestants may possibly have invented and forged as many Shams and Calumnious Accusations against other Protestants and Papists, as if they had believed the Practice of *Calumny* to be lawful, yet hath any of them published in Print the *Tenet* of the lawfulness of it, or its being a poor *Peccadillo*? Who knoweth not that some particular *Divines* of the Church of *England* by the turbulence of their several dispositions, have enflamed differences and divisions in our Church and State? But who can charge them from doing this by Communication of Councils with their *Superiors*, and by instruction from them? Were any of them charged by *Proclamations* for doing any thing of that nature, as some Popish Recusants were by his Majesty's of Jan. 16. 1673. for chiefly occasioning the intestine divisions among us, and by his Majesty's Proclamation of December 2d, 1680. for fomenting of differences among his Loyal Protestant Subjects?

But yet this *Fact* tho thus by the Government charged on some ill men of that Religionary perswasion would not have moved me to reflect with the least heat on the Order of *Jesuites* in this *Discourse* (by whom so many of our *Roman Catholics* are conducted) but for their own *Proclamations* of their *Principles* in their Books, and particularly as to the point of *Calumny*, the only Engine by which *Divisions* could be wrought among Protestants; and but for their setting up that *Doctrine* heretofore, without leave from the Pope's *Canon Law*, and backing it with another to fright any Fools or Knaves from disparaging or even calumniating them, and for their making use and application of these *Doctrines* since the Pope had damned them by a *Proclamation*, I mean his *Edict* of March 79: and but for Father *Parsons* having so scandalously exposed the narrowness of his Soul, and the poor *Ideas* he had of Humane Nature, and even of the Character of a Gentleman by saying what I have in p. 61. cited out of his Book of *The Succession*, viz. That many *Jealousies*, *Accusations* and *Calumniation*s must needs light on the Party that is of different Religion from the State and Prince under whom he lives.

As there is very little in this *Discourse* that reflects on any *Principles* of the *Romanists* that may be called Religionary, so neither have I troubled my self to attacque the *Tenets* of the Society of the *Jesuites*, and of other *Casuits* condemned by this Pope, that do not *hominum societatem convellere*, and it may well be supposed that I having partly grounded my Conjectures of the happy Future State of *England* on the former fashion of *Polemical Writing* being passed away, could not be much tempted to Controversy.

The *Jesuites* and *Casuits* may still hold the 23d *Tenet* branded in the Pope's *Decree* as long as they will, without any disturbance from my Pen, viz. Faith in its large sense only from the Evidence of the Creation, or some such Motive is sufficient for Justification, and so likewise the 46th *Tenet* there, viz. frequent Confession and Communion even in those that live as Heathens is a Mark of Predestination, and many other *Tenets* there relating to Religion, and which the Pope with so great a Pastoral Sollicitude hath damned as at least scandalous and pernicious in Practice, and hath prohibited to be defended by any under the pain of Excommunication, *ipso facto*.

But there are other *Tenets* by him in that *Decree* condemned, that I have in this *Discourse* dilated on as *Convulsive* of Humane Society, which the *Pietas in patriam* occasioned in me such transports of passion against, that I wished he had signalized with sharper words of Censure than those

The Preface to the Reader.

beforementioned, and that I thought the *Excommunicatio Major* with the Ceremony of *lighted Torches* too little for, and even an ordinary *Anathema* in their case to be a Complement or a kind of *sham censuring* them as *abominable and not good*, or somewhat like the Censure *pro formâ* shot off against the *Munster Peace*: and I supposed that if he had Sentenced them to be *absolutely in themselves evil*, he would have satisfied every one that he had put the World out of their Gun-shot by his putting it out of his power to dispense with them.

However finding that Decree of great moment to *Christendom*, and yet by the generality of *Papists* or *Protestants* to have been not much more regarded than are the *Copies* of the *Dialogues* between *Pasquin* and *Marphorio* that come here, I have deliberately Surveyed it and done it what right I could. And by occasion hereof do here call to mind a Remark on the *Papacy* I met with in a Pamphlet of one of our *Dissenters*, viz. *That if the Pope were a good man, he might do a great deal of good.*

Tho for sometime after I had begun this *Discourse*, I was somewhat a Stranger to the great Character of the present Pope, (and so continued till reading the Preface of Dr. Burnet's very learned Book of the *Regale*, I found he there Celebrated him in these words, viz. *That he is a man of great probity, and that on his advancement to the Papacy, he conceived a very ill opinion of the whole Order of the Jesuites,*) I since found cause from the Universal Concurrence of all Impartial men about the same, to have the firmer opinion of the quiet of *England*, and do expect from the influences of such a Pope on the Loyalty and Religion of the *Roman Catholicks of England*, some advance of its happiness.

Tho most men may have only little *Ideas* of the *Deity* as of somewhat above the Clouds, that as a great *Cypher* only surrounds the World, yet the wiser few who have particularly observed the watchful Eye of Providence over the Critical passages, and windings and turnings in their own lives, cannot but be sensible that in the designation of persons at stated times to be at the Helm of the Church of *Rome*, (and who are necessarily to have so great a share in the *External*, and a much greater in the *Internal* Government of the World) the great Governor of it, and preserver of men is no unconcerned Spectator.

It is (I think) most highly probable that at a time when the World being filled with the *Jesuites Principles* and *Casuistick distinctions*, *Vertue* it self was grown an empty Name, and the *Casuists Project* of finishing *Transgression*, and making an end of *Sin* in a subtle way and contrary to the plain Method intended by our *Saviour*, had in a great part of the World almost finished the most Vital part of *Christian Religion*, I mean plain and downright *Morality*, and at a time when some *Virtuosi* in *Italy* and elsewhere half-witted and half *Atheists* taking it for granted that in what hearts soever the *Jesuites* and *Casuists* Religionary Model had prevailed, the simplicity of the Gospel was extinguished, were observed to talk of *Albumazar's* fond prediction of the *Christian Religion* lasting but about 1460 years, and Criticising of the time from whence its promulgation and likewise the promulgation of those *Casuistical Tenets* bore date, did prophanely insinuate their *Miscreant-Conceptions* of the *Christian Religion* not lasting till the time assigned in the *Scripture* for *Christs* surrendring his *Mediatory Kingdom* to his *Father*. I say it is most highly probable that at such a time (and when the *Jesuites Interest* too, had so much *Prosperity* as to tempt them to think that the Mountain of their Religion should never be moved) that nothing less than the great

Vertue

Vertue and Courage of this *Pope* appearing by his said *Decree* could secure Vertue it self and the true *Christian* Morality; and give the World occasion to say with some *Alteration* of the *Question* put to *Esther*, viz. *Who knoweth not that he is come to Rome's See for such a time as this is?*

The *Mountainous* heap of *Rubbish* in the *Jesuites* and other *Casuists* Principles (and even in the *Canon Law*) appears very stupendious to the World, but considering the *Christian* Heroical Acts of this *Pope* (and who for his severity against the abuses of *Indulgences*, hath been by some *Papists* called the *Lutheran Pope* (as I said) and for his anger against the *Jesuites* Principles been called the *Jansenist-Pope* by others) I think another great *Question* in the Prophet *Zechary* may be here not improperly applied, viz. *Who art thou O great Mountain before Zerubbabel?*

Little did the *Jesuites* think that when they Crowned the *Papacy* with a double Crown, I mean of its infallibility in *Law* and likewise in *Fact* (a Crown much more glorious than its *Triple* one) any *Pope* would ever uncrown their *Principles* and expose their baldness to the World: and little do they who fear that ever this *Pope* will occasionally dispense with any mens practising these *Principles*, think of the security they have against the same from his inflexible *Virtue* and perfect Antipathy to injustice, and which are judged to be so inherent in his Nature that I shall here occasionally say that as I was somewhat a *Stranger* formerly to the Character of this *Pope*, so I believe some of the *Plot-witnesses* were that reflected on him so ignominiously: for undoubtedly had it been understood by them, they would never have thought their *Credibility* could have out-lived their first attacking it.

It may possibly be here objected by some Critical Inspectors into the late *Papal* Transactions that *Alexander* the 7th (as this *Pope* observes in the beginning of his said *Decree*) did first damn some of the *Jesuites* Principles, viz. in the year 1665, and that *Guymenius* shortly after in that year appearing in *Print* as a *Champion* for the *Principles* so damned, the *College* of *Sorbon* shortly after that damned the *Work* of *Guymenius* in the 11th of *May* the same year; and that in the latter end of *June* so shortly following in the same year, the same *Pope Alexander* the 7th, damned that very *Sorbon* Censure of *Guymenius*; and that therefore 'tis possible the great *Scene* of *Virtue* appearing in this *Popes* said *Decree* may with a short turn of *Apostolical* Power receive too the Fate of *Pageantry* and presently disappear, and that the great *Mountain* which his *Faith* hath removed into the midst of the *Sea*, may in little more than the twinkling of an *Eye* return to its old place.

But in Answer to which I shall do that right to the *Papacy* to clear the mistake in the objection, and inform the *Reader* that tho *Alexander* the 7th did *Ex Cathedra*, damn that *Sorbon*-Censure as aforesaid, yet it appears out of the *Condemnatory Bull* it self, that what that *Pope* there did was not out of favour to *Guymenius* or the *Jesuites* themselves or their *Tenets*: and that to satisfy the World in that point he there gives the reason for his damning the *Sorbonists* Censure, namely, because it intermeddled in Censuring some other Propositions or Principles of the *Jesuites* that concerned the *Authority* of the *Pope*, the *Jurisdiction* of *Bishops*, the *Office* of the *Parish Priests*, and the *Privileges* granted by *Popes*; and but for the *Sorbons* complicating which with their Censure of the other Scandalous Principles of the *Jesuites*, no doubt but the *Sorbon Censure* had stood as a *Rock* unshaken.

Let

The Preface to the Reader.

Let therefore such who fear every thing, fear that this great *Pope* will after his said *Condemnatory Decree* appear, *αὐτοκατακριτός* or *Self-Condemed*, while I observe it for the honour of his *Justice* that he made that *Decree*, and for the honour of his *Prudence* that before *Nature* had caused the detestable *Principles* therein censured silently to *evaporate*, he gave the World this loud warning of them, as it likewise may be for the honour of that great *Seminary* of the *Divines* of our Church of *England*, our University of *Oxford* observed, that before the Seditious *Principles* and *Tenets* of *Jesuites* and some *Dissenters* came to be naturally exterminated out of the *English* World by fear and shame, they notified them to this Age, and to Posterity.

There is no Subject that hath since the year 1641, more employed the *English* Press than that of *Liberty of Conscience pro and con*: and the fiercest and sharpest of the Writings concerning it, were what passed between the *Independents* and *Presbyterians* on the occasion of *Presbytery's* great *Effort*, to make the *English* Nation by one short general turn *Profelyted* to its *Model*, and when it pushed for the *auspicious* fate of former great *Religionary Conversions* happening as it were *simul* and *semel*, and when *Nations* seemed to be like the *Hyena*, which having but one *Back-bone* cannot turn except it turn all at once.

But the *Independents* observing the Kingdom and *Presbytery* frowning on one another, thought they could do nothing more popular than to take the Arguments they found in the many *Pamphlets* of the *Presbyterians* lying on every Stall for toleration under the old *Hierarchy*, and turn them upon *Presbytery*, and every one then who had fears and jealousies of the Arbitrariness of *Presbytery*, seem'd to be a well wisher to those *Books* for *Liberty of Conscience*; and the destroying of the Credit of *Presbytery* by Books that had so much contentious fire in them, was really an acceptable sweet-smelling *Sacrifice* to the Nation.

And after the King's *Restoration* tho some few Books were writ of that Subject (and with much more Candour than the others) yet the *Töke* of the King's Ecclesiastical Laws was so easie to the People, as that the Writing of Books against it was not encouraged by *Popular Applause*.

The King's *Declaration* of *Indulgence* afterward appearing (and as not gained by *dint* of Pen but *ex mero motu*) was applauded by some few particular Writers among the *Popish* and *Protestant Recusants* discouraging in *Print* at their ease, of *Liberty of Conscience*.

But as if *Nature* meant that *Books* of that Subject should no more here divert the curious World, the Empire *toleration* had thereby gained, did presently labour under its own weight, and the *Non-Conformists* being jealous of that *Declaration* proving a *President* of the *Prerogatives suspending Acts of Parliament* in general, and suspecting that the *Popish Recusants* would have the better of that *Game*, as supposed to have many great *Court-Cards* here and abroad in the World and likely to have more, while the *Protestant Recusants* had not so good in their hands (tho yet they had here what amounted to the point in *Picquet*, I mean the advantage of their *Numbers*) did presently thereupon cause all the *Cards* to be thrown up: but first had in *Concert* with the *dealers* provided for the packing them to their own advantage in a new *Deal*.

In plain *English*, some Loyal Persons and firm Adherents to the Church of *England* in the *House of Commons*, thinking that *Declaration* illegal, (and whether justly or no, I here presume not in the least to question) endeavoured *tanquam pro aris & focis* to get that *Declaration* Cancell'd, and

and knowing they could not effect the same without the help of the *Dissenters* Party in *Parliament* engaged their help therein, by giving them hopes to carry an *Act of Parliament* for their *Indulgence*: but what a little *fore-sight* would have made appear to them impossible to be gained, for many Considerations too *obvious* to be named.

And the natural result of this *Fact* (which is on all hands confessedly true) cannot but be the making of the former *fashion* of Polemical writing for *liberty of Conscience* to pass away.

We have since seen some few Florid Sheets published by some of the Dissenting *Clergy* on that Subject, but they have made no other Figure then that of the poor Resemblances of *Flowers* extracted by Chimical Art out of their Ashes: and any little shaking them in the *Glass* of *Time* must make them presently fall in pieces.

I have in this *Discourse* expressly owned my having no regret against any *due* or *Legal* Relaxation of the Penal Laws against Recusants: but what any *due* or *legal* way may be therein, I enquire not.

The power of the King in *dispensing* with the *Penalties* in case of particular Persons was not (that I hear of) in the least Controverted in the Debates of the *Commons* about that *Declaration*. And *Fuller* in his *Church History* relateth, that when Bishop *Williams* was Lord-Keeper, there was a *Toleration* granted under the *Great Seal* to Mr. *John Cotton* a Famous Independent *Divine*, for the free exercise of his *Ministry* notwithstanding his dissenting in Ceremonies, *so long as done without disturbance to the Church*: and the lawfulness of which particular Indulgence (I suppose) none in that Age controverted, as I think none would any thing of that kind in this.

But if this *Question* of *Toleration* had not here been at the end of its Race, and if no such thing had happened as the *Declaration of Indulgence*, and Dissenters thereby manumitted from Penal Laws saying, *Soul take thy ease*, and presently Acting the Part of *felo de se*, by effecting the Cancelling of that *Declaration*, and if the *Controversy* were now to begin to start forward, I account it would cause but a very short fermentation among us.

For no Books need be writ to prove the *lawfulness* of what an *Act of Parliament* hath permitted to every private Family, and to a certain number of other persons to participate therein with them. And if *Dissentership* would now call for more *Toleration*, its very being called on to name its *Tenets* in order to the security of the Government in granting it to more persons to assemble together in enjoying it, its very naming them would (I believe) soon *perimere litem* in the Case: and some of its *Tenets* would perhaps appear too little, and others too great to require the formality of *Debate*.

It is even ridiculous to suppose that any *Jesuites* and *Dissenters* would now dare to demand *Toleration* for the Principles of the *Crown-Divinity* of each, mentioned in the *Oxford Censure*. None of them would now dare to be *Confessors* of Religionary Principles that would make Kings *Martyrs*.

And as I think that the *Pope* needed not crave Aid from his *Vatican*, nor the *Oxford-Convocation* from their *Bodleian Library* to confute monstrous Tenets Condemned by either (for in this Case according to the words of *Tertullian* *advers. Valent. Demonstrare solummodo, destruere est*) so I likewise think that both Popish and Protestant Recusants will be ashamed to crave Aid of *Toleration* from the Magistracy for Principles they

are ashamed to own, or indeed for any but what they shall first own, and the rather when our *Protestants* shall recollect with what vigorous Expedition the great Owners of that Name in Germany, published their Religious *Confessions*, as *Alsted* tells us in his *Chronologia testium veritatis*, where he makes mention of the *Augustan Confession*, rendered to *Charles* the 5th, and the *States* of the Empire in the year 1530, and of the *Confessio Suevica* in the same year, and of the *Confessio Basileensis* in the next year, and of the *Confessio Helvetica* in the year 1556, and of all the other great Protestant *Confessions* exhibited severally to the World before the year 1573.

Such of our *Dissenters* therefore who have to this year 1684, made it their business to be *Anti-Confessors* by hiding many of the particularities of their *Principles*, and giving the World cause perhaps to say, *Difficilius est invenire quam vincere*, and who yet assume the name of *Protestancy*, will perhaps hardly think it possible for them to gain *Toleration* for their further being called by that Name, without shewing the Title of their *Principles* to it.

As on the account of what I have said it would be a *Persecution* to the World, for the most ingenious men to trouble it with *Discourses* of the lawfulness of *Toleration*, so it would too be to trouble it with *Discourses* of the unlawfulness of denying *Toleration* to men who either deny their *Principles*, or deny to give an account of them: a duty that can plead as clear a *jus Divinum* for it self as any Form of Church Government, and by Vertue of which *Christians* are to be ready always to give an answer to every man that asks them a reason of the hope that is in them, with meekness and reverence.

There are some *Principles* to which it is by all agreed, that 'tis unlawful to give *Toleration*, namely, to those that disturb Civil Society; nor would it appear otherwise than ridiculous to the hoodwink't sober Party of any *Sect*, that when the Magistrates reprove them in those words of our Saviour, *ye worship yee know not what*, the Magistrates by tolerating them at that time should give cause to others to tell them, *ye tolerate yee know not what*.

I have observed it in the Course of my reading, that there is one great point of Religion on which the hinge of Loyalty doth very much turn, that several Eminent *Papists* and *Non-Conformists*, have not dared to speak their plain agreed sense of, and as to which it may therefore seem very rational that they should, and that is, *How far the Civil Laws of Princes or the Municipal Laws do bind the Conscience*, a Point that the Council of *Trent* could not be brought to Define; and herein 'tis obvious to consider that tho' 'tis on all hands granted that in any thing contrary to the Divine Law natural and positive, those Laws do not bind the Conscience, and that the *jus Divinum* of the *Papacy*, *Presbytery*, or *Independency* would not be caught with a why not, on the holding the Question in the Affirmative, that *Humane* Laws do bind the Conscience in things not contrary to the Law Divine, yet are the *Adherents* to those Religious Models conscious to themselves, that in many particulars necessary to bring them into practice, there must be a Sanction of them by Penal Municipal Laws, and they hoping to have the Magistracy and its Power on their side, and to Act in Concert with them according to that Saying of the Emperor to his Bishop, *Jungamus gladios*, and knowing that the Authority of the Magistrate to support both Religion and Loyalty, and for the Custody of both Tables, hath as clear a *jus Divinum* as their Plat-forms can have, and

and that therefore the *Civil* Power will not let its *jare-Divinity* be taken too by any *with a why not* (as it would be if the *Question* were held wholly in the *Negative*) they have in their *Writings* been generally obscure and short in that point, and have hoped by their power and interest to keep the *World* from calling on them to explain.

But I have in my occasional *Converse* with some of the most learned of the *Non-Conforming Clergy* observed them in *Discourse* to speak out their minds plainly and *Categorically* enough that *Humane* Laws do not bind the *Conscience*, and to account it an *absurd* thing to make any *Penal* Law bind the *Conscience* even in matters purely *Civil*, and wherein there is no pretence of any things enjoined concerning the *Worship* of *God*, and yet where the things under *Penalties* enjoined, are of great importance to the *State*.

The men of somewhat *hot* rather than distinguishing heads, tho they know that *Humane* Laws are necessarily *Penal*, and tho they believe that *Oeconomics* do best subsist by their *Wives* and *Children* and *Servants*, being bound to observe those their lawful *Commands* by the *Tye* of *Religion* that they intended should be effectually obeyed, have not considered that *Politicks* would likewise thereby be best preserved, nor learned to distinguish the *Penal* Laws where the *Magistrate* intended to oblige the *Subject* in point of *Fault*, and where only in point of the *Penalty*: but our *clear-headed* and loyal hearted *Sanderson* who may well come under the account of his *ὑπομνησις* as to those *Opiners*, hath for the honour of the *Church of England's* Principles in his 8th *Lecture* (and there *de lege pœnali*) well taught us in what Cases *Penal* Laws oblige in *Conscience*, and shewed that they may so bind where the *Legislator* did intend to oblige the *Subject* *Ad culpam etiam & non solum ad pœnam*: and in that Case saith he, *Certum est eos teneri ad observandum id quod lege præcipitur, nec satisfacere officio si parati sint pœnam lege constitutam jubire*, and where he further saith, That the mind and intention of the *Legislator* is chiefly seen in the *Proeme* of his *Law*, in quo (saith he there) *ut acceptior sit populo lex, solet Legislator Consilii sui de eâ lege ferendâ causas, & rationes exponere quàm sit lex justa, quam fuerit tollendis incommodis & abusibus necessaria, quàm futura sit Reip. utilis.*

There is a particular *Principle* of moment worthy of the *Magistrates* Survey, that relates to the *Gathered Churches*, and that is a *Principle* made a necessary ingredient in the *Constitution* of of those *Churches* by a *Divine* of the same *Authority* among them, as *Bishop Sanderson* is in the *Church of England*, and whom I occasionally beforementioned, and that is, *Mr. John Cotton B. D.* who in a *Pamphlet* of his printed at *London* in the year 1642 Entuled, *The true Constitution of a particular visible Church proved by Scripture, wherein is briefly demonstrated by Questions and Answers, what Officers, Worship and Government Christ hath ordained in his Church* (and in the *Title-page* whereof is this place of *Scripture*, viz. *Jer. 50. 5. They shall ask the way to Sion with their faces thitherward, saying, Come let us joyn our selves to the Lord in a perpetual COVENANT that shall not be forgotten*) in p. 1st, makes his first *Question*, what is a *Church*? And the *Answer* is, *The Church is a mystical Body whereof Christ is the head; the Members and Saints called out of the World and united together in one Congregation by an holy COVENANT, to Worship the Lord and to Edifie one another in all his holy Ordinances.*

And in another *Book* of his printed at *London* in the year 1645 called, *The way of the Churches of Christ in New England*, his third *Proposition* is this

The Preface to the Reader.

this, viz. For the joyning of faithful Christians into the Fellowship and Estate of a Church, we find not in Scripture that God hath done it any other way than by entring of them all together (as one man) into an holy COVENANT with himself to take the Lord (as the head of the Church) for their God and to give up themselves to him to be his Church and People: which implies their submitting of themselves to him, and one to another in his fear, and their walking in professed subjection to all his Ordinances, their cleaving one to another as fellow Members of the same Body in Brotherly Love and Holy Watchfulness unto Mutual Edification.

He there partly props up the Obligation of this Church Covenant on the Jewish Oeconomy mentioned in the Book of Deuteronomy and other places of the Old Testament.

The reasonableness of Subjects not entring into Religious Covenants without the Consent of the *Pater patriæ*, may be inferred from the old Testament, where in Numbers c. 30 the Parent hath a power given for the controuling of the Childrens Vows not enter'd into by his consent: but since these Principles of a new Church Covenant may seem to introduce a new Ecclesiastical Law without the King's privity and consent (a thing that if our very Convocation should presume to do, would bring them within a *Præmunire*,) and since the whole power of reforming and ordering of all matters Ecclesiastical is by the Laws in express words annexed to the Imperial Crown of this Realm (and particularly by the 1st of Elizabeth) and since that it hath been said, that even without an Act of Parliament, a new Oath or Covenant cannot be introduced among the King's Subjects, and moreover since all the famous Religious Confessions of the Protestant Churches abroad, assert nothing of any such Church Covenant, and since Covenants and Associations have lately heard so ill in the Kingdom, I think the nature and terms of this Independent Covenant ought to be laid as plain before the Eye of the Government as was the Scotch Presbyterian one.

Those words of Mr. Cotton of the entring them all together as one man into an holy Covenant, carry some thing like the same sound of one and all, and tho their thus entring into it to take the Lord as the head of his Church for their God, and to give up themselves to him to be his Church and People, may be a plausible beginning of this new Church Covenant in nomine Domini, yet the following words, of submitting themselves to him and to one another in his fear, and their cleaving one to another as fellow Members of the same Body in Brotherly Love and Holy Watchfulness, are words that (I think) the Magistracy ought to watch, and to see that Dissenters have a very sound form of words prescribed to them in this Case, if it shall think fit to have the same continued.

I have found the Assertion of a Church Covenant as Essential to the Form of a true Independent Church in many other of their Books, and do suppose that this Covenant being laid as Corner-stone in the building of their Churches by Divine Right, it must last as long as Independency it self: and of its lasting still, I met with an Indication from a Loyal and Learned Official of the Court-Christian, who told me that tho several of the Dissenters called Presbyterians have been easily perswaded to repair to the Divines of the Church of England that they were admonished to confer with, and had upon Conference with them come to Church and took the Sacrament, yet he thought that some of another Class of Dissenters were possessed with a Spirit of incurable Contumacy, by reason of their Principles having tied them together to one another by a Covenant.

And

And if it shall therefore appear to the Magistrates that they are thus *Conference-proof* and (as I may say) *Reason-proof* by virtue of their Covenant, it will then be found that no one *Member* of a gathered Church can turn to ours, without the whole *Hæna*-like turning, and perhaps some of the *Lords* the *Bishops* may think it hereupon proper humbly to advise his Majesty to null by a *Declaration* the Obligation of this Covenant as his Royal Father did that of the *Presbyterian* Covenant.

In the mean time the Consideration of the Principles of *Independency* thus seeming to have cramp'd the *Consciences* of its followers with a Covenant (that is at least unnecessary, and must naturally be a troublesome imposition to men of thought and generous Education who love to perform Moral Offices without entering into Covenant or giving Bond so to do) may serve to let men see how the *Pastorage* of the Church of *England* treats them like Gentlemen, and may serve to awaken their Compassion for their deluded Country-men whom they see frightened by their Teachers into a fancy of the unlawfulness of a Ceremony, and yet embolden'd by them into the belief and practice of a Covenant without the King's Consent, and from which Persons we should perhaps quickly receive Alarms of *Persecution*, if the Government should impose any Covenant or Test on them in order to *Loyalty*, tho never so necessary for the publick Peace.

But the World is weary of the *umbrage* Sedition hath found among denominations of Churches, and of judging of *Trees* by their *Shadows*, or otherwise than by their Fruit, that is by their Principles: and for the happiness of the present State of *England*, after we have by many Religion-Traders been troubled with almost as many Marks of true and false Churches as there are of *Merchants Goods*, Nature seems to have directed the People to agree in this indeleble Character and Mark of a false Church, namely, one whose Principles are *Disloyal*.

The *Genius* of *England* is so bent upon Loyalty in this Conjunction, that a disloyal Principle doth jar in the Ears of ordinary thinking men like a false string in the Ears of a Critical *Lutenist*, and the which he knows that Art or Nature can never tune: and upon any Churches valuing themselves on the intrinsic worth or the weight of their Principles as most opposite to Falshood, men generally now take into their hands the *Touch-stone* and the *Scales* of Loyalty, and do presently suspect any Church that refuseth to bring its Principles to be touch'd and weigh'd, and they will not now allow the Reputation of a *visible* Church to any body of Men, whose Principles relating to Loyalty, shall not first be made *visible*.

Nor can it be otherwise thought by the impartial, than that Mens Consciousness of somewhat of the *Turpitude* of some of their Principles, restrains them from bringing them to appear in publick View, and according as *Cicero* in his *de fin. bon. & mal.* answers *Epicurus* (who said that he would not publish his Opinion lest the people might perhaps take offence at it,) viz. *Aut tu eadem ista dic in judicio, aut si coronam times, dic in senatu. Nunquam facies. Cur; nisi quod turpis est Oratio.*

I who thus urge the Reasonableness and Necessity of mens being Confessors of their Principles of Loyalty, have frankly exposed one of mine own in p. 131. and which I say there that I account the great fundamental one for the quiet of the World as well as of a Man's own Conscience, viz. That no man is warranted by any Intention of advancing Religion, to invade the right of the Sovereign Power that is inherent in Princes by the munici-

The Preface to the Reader.

pal Laws of their Countreys : and I have mention'd the same in p. 136. as owned by the *Non-conforming* Divines in King James his time.

Tho I believe as firmly as any man, that the Christian Religion doth plainly forbid the *Resistance* of Authority, and that his Majesties Royal Power is *immediately* from God and no way depends on any previous Election or Approbation of the people, yet since the Sons of the Church of *England* are sufficiently taught both that Doctrine, and likewise that *human* Laws in the point of their *Allegiance* do bind the *Conscience*, and since other men who err in *Principles* of *Loyalty* may sooner be brought to see the *Abjurdity* of their Error by the known *Laws* of the *Land*, than by Argumentations from *Scripture* which may admit of Controversy, and since his Majesty hath been pleased to expect the *Measures* of our Obedience from the *Laws*, and that our English *Clergy* while in the late *Conjuncture* they have so universally preach'd up *Loyalty*, have so *religiously* accorded with the *Measures* of the *Laws*, and have therein (as I may say) shewed themselves *Apostolical* Pastours, and since the persons whose Complaints of the danger of Popery are most loud, do joyn therewith their Exclamations against *Arbitrary* or *Illegal* Power, and seem to joyn Issue in the point that they are willing that the Power that is by *Law* inherent in the *Crown* should be preserved to it, I thought it most uieful in the present *Conjuncture* to assert the *Principle* in these *Terms* I have done : and I the rather chose to do it, because I thought that the security of the *Crown* is by some *Laws* well provided for, whose *Olligation* admits of no *Doubt*, I mean, those whereby Men have been obliged to take the *Oaths* of *Allegiance* and *Supremacy*.

But moreover as I consider'd it to be one great valuable *Right* inherent by *Law* in our Princes to secure the Continuance of the *Succession* in their *Line*, so I likewise judged the legal *Right* of Princes to Succeed according to *Proximity* of *Blood*, to be unalterable, and therefore having my eye on the prevention of further Scandal to *Protestancy* from the *Exclusion*, I introduced that *Principle* so worded as aforesaid, that by dilating thereon as I have done, I might bring the *Reader* the better prepared to my *Casuistical* Discussion of the *Oaths*.

The *Reader* will find at the end of this *Discourse* the *Casuistical* Discussion of the *Obligation* to the King's *Heirs* and *Successors* resulting from the *Oaths* of *Allegiance* and *Supremacy*, by me promised in p. 214, and the occasion of my writing which is likewise there mentioned.

It was wholly writ in the time that the *Question* of the *Succession* made the greatest noise among us and was then by me Communicated to several of my Friends in *Terms* as herewith printed without any thing since added or diminished, and both it and the *Discourse* (which contains so many things naturally Previous to the Consideration of that *Question*) would have been long since published, but partly for the various Accidents of *Business* and *Sickness* that necessarily interrupted me in the Writing of the latter.

And tho perhaps the *Publication* of the former in the time of the *Sessions* of our late *Parliaments*, might have been more significant, than after the *Volly* of *Loyal Addresses* shot of manifesting the general just zeal against the *Exclusion* (of which *Addresses* I yet observed none to mention any thing of the *Obligations* to *Allegiance* to the King's *Heirs* and *Successors* from the *Oaths* of *Allegiance* and *Supremacy*) it may be said that the subsequent Births of *Fate* have not restrained the possibility of its usefulness in future times : and tho Heaven may be propitious

propitious to our Land in the blessing it according to the Loyal Style of the *Addresses*, namely, in his Majesties *Line* continuing on the *English* Throne *as long as the Sun and Moon endure*, yet many and many may be the *Conjunctures* when a supposed Heterodox Prince shining like the *Sun* in the Firmament of the *English* State, and regularly moving in the *Line* of the Law and his own *Religion*, may attract the dull Vapours of Fears and Jealousies again, as another glorious *Prince* hath done, and the exhalations of which may cast such Mists before Mens understanding Faculties as to hinder them from seeing their way in the observance of the *Oaths* they took: and therefore as a *προφυλαχὴ* or *premuniment* (as I call'd it) against our being future Enemies to our selves, and against poor little Mortals (as it were) standing for the Office of *Conservators* of Gods glory, while they are losing their own Souls by *Perjury*, and against some Loyal Timid People troubling themselves with falling Skies and fears of Gods not upholding his *Church* (just as *Galen* tells us of a Melancholy Man who by often reading it in the *Poets* how *Atlas* supported Heaven with his *Shoulders*, was often in a *Panic* fear lest *Atlas* should faint and let Heaven fall on mens heads) instead of taking pains to uphold and maintain their *Oaths* which they swore to God in *Truth* and *Righteousness*, it may perhaps be always of importance to our *English* World to have right *Notions* of the *Obligation* of those *Oaths* left behind in it.

When I have read many of the late *Pamphlets* against the *Succession* (the *Venom* of which was stolen out of *Dolenan's* alias *Parson's* Book) and have often considered that the Government in King *James's* time, might well be apprehensive of the mischief that *Book* might do with its *Poyson*, and perhaps with its *Sting* in following Ages, I have then wondered why none was employed to *Answer* it thoroughly, a thing that I do not find was ever done, unless it may be said that an *Answer* to the 1st part of it was in the year 1603 published by Sir *John Haward*, and that its 2d part hath been confuted by some Loyal and Learned Persons since the late *Conjuncture* of our *Fermentation*, and in which time that *Book* of *Parsons* was *Reprinted*.

I am sorry that that *Book* and some others of Father *Parsons* were in some part of King *James's* time *Answered* as they were by the real Characters of severity that then fell on some innocent *Papists*, and who (I believe) were Abhorrrers of the *Sedition* his *Books* contained, and on whom Dr. *Donne's* *Pseudo-Martyr*, printed in the year 1610, reflects in *The Advertisement to the Reader* saying, *That his continual Libels and incitatory Books have occasioned more afflictions, and drawn more of that Blood which they call Catholick, than all our Acts of Parliament have done.*

And with a just respect to the Learning in Sir *John Haward's* *Answer* to the first part of that *Book*, and by him Dedicated to King *James*, it may yet be wished that with less *Pomp* of Words and greater closeness of Argument referring to the Principles of internal Justice and natural Allegiance and the *lex terræ*, he had shewn the perfect *unlawfulness* of defeating the Title of Proximity of Blood in the Case, and instead of so much impugning the *Book* by *References* to the *Civil* Law, and old *Greek* and *Latin* Authors making for *Monarchy* in general, or even by the places cited out of the old *Testament* favouring *primogeniture*: and indeed I do not find among all our late *Writers* for the *Succession*, that so much as one of them by so much as once quoting this *Book* of Sir *John Haward* (tho so common) hath thence brought any Aid to their Noble Cause.

The Preface to the Reader.

BUT however the *Oath of Allegiance* having been enjoined since the writing of Sir John Haward's Book hath given an ordinary *Writer* the advantage of bringing the *Cause* of the *unlawfulness* of disturbing the *Course* of *Succession* to a quicker hearing and speedier issue in the *Court* of *Conscience*, which is the *point* I have endeavoured to carry after the end of this *Discourse*, leaving it to *Candid Men* to judge of the sincerity of my performance therein, and of my fair stating of the *Question* and the deducing genuine *Propositions* from it so *stated*, and which shall yet be reviewed by me when I come to *Review* this *Discourse*.

The truth is when I began it, I observed the generality of Men who writ against the *Exclusion-Bill* with a great deal of good *Law*, *History* and *State-policy*, did shew both their *Learning* and their *Loyalty*, and did very usefully set forth the dreadful *Confusions* it would introduce and perpetuate in the *State*: and the *Illegality* and indeed *Nullity* of any *Exclusion* (tho by *Act of Parliament*) was by them likewise usefully shewn: but yet I think it would have been some *scandal* to the present *Age*, if it had passed away without transmitting to the next some instances of *Protestants* who had leisure to write, writing of the *unlawfulness* of such a *Bill* with relation to our *Oaths* of *Allegiance* and *Supremacy*; and I was sorry to find that when the late *Loyal* and *Learned* Bishop of *Winchester* had afterward appear'd as the first *Divine* who in *Print* asserted, *That the Exclusion of the Right Heir was contrary to the Law of God both Natural and Positive, and that such Exclusion was against the Law of the Land also*, his judgment in his *Book* called the *Bishop of Winchester's Vindication* given so *Learnedly* in the *point*, seemed to so many of our new pretenders to *Loyalty* and to *Conformity* to the *Church of England*, to be a kind of a *Novelty*.

But yet I observed that that *Learned Prelate* thought not fit there to strengthen his *Affertion* of the *unlawfulness* of such *Exclusion*, by the *Oaths* of *Allegiance* and *Supremacy*.

Nor did I observe that among all the *Loyal Writers* for the *Succession*, I had met with from first to last, any one had surveyed the *Question* of the *unlawfulness* of the *Exclusion* resulting from our *Obligation* by the *Oaths* of *Allegiance* and *Supremacy*, (tho yet some few of them hinted the thing in general and were itill answered with the *hæres viventis*) till at last another *Divine*, namely, Dr. Hicks, Vicar of *All-hallows Barking* and Dean of *Worcester*, honoured both himself and the *Question* by taking notice of it in his *Jovian*, and in the *Preface* to a *Sermon* of his printed in the year 1684, and Entituled, *The harmony of Divinity and Law in a Discourse about not resisting Sovereign Princes*: and he in the 3d p. of that *Preface* observes, *That some men did pervert the meaning of the word Heirs in the Oaths of Allegiance and Supremacy, from its common and usual acceptation to another more special, on purpose to elude the force and obligation of them, which otherwise they must have had upon the Consciences of the Excluders themselves*.

The *Doctor* had made himself *Master* of *Law* enough to *Master* the true notion of the *point*, and did in his *Preface* exorcise the *Fantom* of *hæres viventis*, a *Noon-day Spright* raised by one who was thought a great *Conjuror*, and which had before haunted the *Question*, and had affrighted so many from lodging their thoughts in it.

And tho no other of our *Divines* (that I have heard of) writ of the same, nor any of the *Layety* otherwise than starting the *Notion* of it in *Print*, yet considering the great weight of his *Learning* and *Reason* with which in his *Jovian* and that *Preface* he directed so many in the *Obligation* of

of their great *Oaths*, I will so far prefer his *Labours* to all that writ before of the *Succession*, as to say of him in those words of the *Apostle*, *He hath laboured more abundantly than they all.*

That which I have writ thereof was finished some years before what the *Doctor* published about the same, as several of my friends know, to whom I gave Copies of the same, and with an injunction of printing it, in Case of my death: and I have since added nothing to what I writ, nor shall till I proceed to the *Review* of the *Discourse*: but had otherwise for the honour of my judgment, therein concurring with so learned a mans, respectfully cited somewhat thereof in my *Discussion*.

No doubt but there were many loyal and judicious and learned men that in the late Conjunction had the same sense with the *Doctor*, concerning the *Obligation* of those *Oaths*, tho they had not time to publish the same by the *Press*; and I have in p. 269 referred to what a very learned and honourable Person urged from the *Oaths* of *Allegiance* and *Supremacy*, in his *Speech* against the *Exclusion-Bill* in the *House of Commons*, and to which I have mentioned somewhat of a reply there made by Sir *W. J.* in that *House*, and of the prodigious *Applause* that Reply found from many Persons there.

But in that *Speech* of Sir *W. J.* there was another thing said, and which being spread about the Kingdom, had the effect of *Thunder* from an *Oracle*, and kept thousands from daring so much as to deliberate of the *Obligations* resulting from the *Oath* of *Allegiance*, to oppose the *Exclusion*. His words I refer to for this, were to this purpose, viz. *It is urged also that we are sworn to the King his Heirs and lawful Successors. It is true we are so: but not obliged to any during the Kings life but to himself. For it were Treason if it were otherwise.*

It was in vain at that time for any *Discourser* to hope by fair and gentle Principles of Reason to open the Wards in the Locks of Mens Consciences, and to let in there a true *Sense* of the *Allegiance* sworn to the Kings *Heirs and Successors*, when so great a *Pick-lock* of the *Law* had made it *Treason*.

Yet never was I mortified with a greater *Example* of *Humane Frailty* than by the Sense of so great a number of knowing Persons in that *Loyal Parliament* being so suddenly infected with the Error of that *Insinuation*, from a single *Demagogue* who had never been bred up to *Logic*, which yet caught the understandings of the Majority of the Representatives of the *Commons of England*, in the *Trap* of a little *Sophism*; and when an ordinary *Lease* drawn by a *Lawyer's Clerk* might shew one that the *Lessee* at the time of the perfecting it, actually enters into a *present Obligation* both in *Law*, *Equity* and *Conscience* to pay his *Rent* to the *Lessor* his *Heirs* and *Assigns* as it shall become due to each respectively, and which when the *Lessor* dies or assigns his interest, is to be paid to the *Heir* and *Assign* then and not till then.

But as *Tully* who had as great a Veneration for the *Constitution* of the *Roman Government*, as I have for that of our *English* one, said in his *Oration pro L. Murena*, that *Nihil est fallacius Ratione totâ Comitiorum*, the same thing may happen to our great *Loyal Body* of Men assembled while under a ferment of *Passion*; and then every mans anger influencing another, *Fallacy* it self may pass for Reason: and as we see when many *Workmen* are at once altogether crying, and pulling a great piece of *Timber* forward to them with a *Rope*, if that doth not hold but break, they all fall backwards together, so when any *Cætus* or *Body* of Men are

The Preface to the Reader.

drawing with all their strength to bring any matter of weight in the Government to them, if the Principle of Reason they use for that purpose will not hold, but proves a poor weak *Sophism*, they naturally fall down together.

I have in this *Discourse* usually mentioned those *Parliaments* with the prefixt name of *Loyal*, wherein I yet thought so many Persons were so dreadfully mistaken in so great a point, and for which Charity (if extravagant) no *Jesuited* Papists can blame me, knowing how great an *Exclusioner* of old their infallible head hath been: but which I was the rather inclined to do (as any one may guess by the *Current* of the *Discourse*) because I knew not but his Majesty's calling a New Parliament at such time as he should think convenient for the same, might give many of the mistaken Persons such an advantage of recollected thoughts as would shew them the Errors of their former measures, and render them afterwards averse from putting at once both their own *Consciences*, and the very words of the *Oath* of *Allegiance* on the Rack, and from such a squeezing of Blood out of that, contrary to the *Grammatical* Sense that might occasion the flowing of blood through the Kingdom in after times: and the sharpest expression I was naturally led to use whereupon, fell from me without any Reproach of the Persons erring when I said in p. 209, viz. *Thus just is it for Heaven sometimes to blind and confound good men in their Counsels, when they abandon plain Principles and Dictates of Reason, and when they will not do what they know, to suffer them not to know what they do, &c.*

I have somewhere read of one who writing of the *Constitution* of and *Rule* for the *Franciscans*, saith, That for the firmer observance of that *Rule* Christ himself was heard in the Air, saying to St. Francis, *This Rule is mine and not thine, and I will have it observed*, Ad literam, ad literam, sine glossâ, sine glossâ: and let any men be attentive to the voice behind them, viz. That of *Conscience* about the *Rule* of the observing of their *Oaths*, they will hear God there speaking much to the same purpose.

Nor have I heard of the understandings of men of great Abilities made Spectacles of shame to the World through the Divine *Dereliction* in any particular point, more than in that relating to their natural *Allegiance* and their *Oath* to confirm it.

Let any one consider somewhat in the *Speech* of Sir H. V. printed in the year 1662, As what he intended to speak on the Scaffold, where having mentioned by what steps he became satisfied with the *Parliaments Cause* he was engaged in, and did pursue the same, and that the *Parliaments Cause* did first shew it self in the Remonstrance, and Secondly, in the Solemn League and Covenant, he addeth, That it shewed it self, Thirdly, in the more refined pursuit of it by the Commons House in their Actings single, and saith afterward referring to my Lord of Arguile, viz. That Noble Person (whose Memory I honour) was with myself at the beginning and making of the Solemn League and Covenant, the matter of which and the holy ends therein contained I fully assent unto, and have been as desirous to observe, but the rigid way of prosecuting it and the oppressing uniformity that have been endeavoured by it, I never approved. This were sufficient to vindicate me from the false Aspersions and Calumnies which have been laid upon me of *Jesuitism* and *Popery*, &c. And recollect whether (tho that Covenant was contrary to the *Oath* of *Allegiance*) any thing yet could be more contrary to that Covenant than that House of Commons acting single, or any thing could

could be more contrary to the plain *literal* Sense of the *Covenant*, than that refined *pursuit of the Cause*, owned by a person of such refined and real great Abilities, and within the Prospect of Eternity: and whether the owning of the same then contrary to the *literal* Sense of the *Covenant* was a proper *Medium* for him to use then, whereby to clear himself from the aspersions of *Jesuitism*?

There was another person of great Theological Learning and strong natural parts who lived about that time, I mean Mr. *John Goodwin*, the *Divine* I before mentioned: and who in two Books of his, the one called *Redemption Redeem'd*, and the other of *The Divine Authority of the Scripture* hath signaliz'd his great Abilities: but in the very *Pamphlet* where he presumes to vindicate the very Sentence against the *Royal Martyr*, and to make the same Coherent with the *Scotch Covenant*, he in p. 51 saith, *Evident it is that those Words in the Covenant*, in the preservation and defence of the true Religion and Liberties of the Kingdom, import a *Condition on the Kings part*, without the performance whereof the *Covenant* obligeth no man to the preservation or defence of his Person or Authority: and yet allowing the *Words* to speak for themselves, they do not say in HIS Preservation and Defence, &c. but in THE Preservation and Defence, &c. plainly referring to the same *Preservation and Defence of Religion and Liberties* which is before promised, and sworn to in this and the preceding *Articles*, as evidently referring to the same Persons *Preservation and Defence* of them here who are to preserve and defend them in the former *Clauses*, and who are to preserve and defend the *Kings Majesty's Person and Authority* in this, namely, the *Covenanters*.

If the *Covenant* had intended to ground the *Preservation and Defence* in this *Clause* upon another Person or Persons as the performers, beside those to whom the same Actions are referred immediately before, it would have pointed them out distinctly: but when it expresseth no other, the plain ordinary *Grammatical* construction will attribute them to the Parties before nominated, and cannot put them on any other.

And the *Premisses* notwithstanding Mr. *Goodwin* concludes that if that his *Anti-Grammatical* Paraphrase were not the true meaning of those words beforementioned in the *Covenant*, it was unintelligible by him: and his *Words* are these, *If this be not the clear meaning and importance of them, the Covenant is a Barbarian to me, I understand not the English of it.*

Thus natural is it even for the *learned* and *unstable* to wrest not only the *Scriptures* but even their own subscribed *Covenants*, where the words have no *δυσωόντες*, to their own destruction and the destroying of common Sense, when they recede from the common Principles of *Loyalty* and *Allegiance*.

There was likewise another Person reputed one of *first-rate* Parts and great Learning in the late times, who published a Book called, *The lawfulness of obeying the present Government*: and in his 11th Page there directs the World to make this Enquiry, viz. *Whether there be any Clause in any Oath or Covenant which in a fair and common sense forbids obedience to the Commands of the present Government and Authority*: and referreth particularly to the *Clause* of the *Oaths of Allegiance and Supremacy*, in the former of which 'tis said *I shall bear faith and true Allegiance to his Majesty, his Heirs and Successors*, and in the latter, *I shall bear faith and true Allegiance to the Kings Highness his Heirs and Successors*.

The Preface to the Reader.

He there goeth on very Childishly to sell the World a Bargain, by trying to puzzle it with Questions, viz. If it be said that in the Oath of Allegiance, *Allegiance is sworn to the King his Heirs and Successors*, if his Heirs be not his Successors, how doth that Oath bind? Either the Word Successors (saith he) must be superfluous, or it must bind to Successors as well as to Heirs. And if it bind not to a Successor as well as to an Heir, how can it bind to an Heir that is not a Successor? And if you will know the common and usual sense (which should be the meaning of an Oath) of the word Successors, you need not so much ask of Lawyers and Learned Persons, as of men of ordinary knowledge, and demand of them who was the Successor of William the Conqueror, and see whether they will not say W. Rufus: and who succeeded Richard the Third, and whether they will not say Harry the 7th: and yet neither of them was Heir: so in ordinary acception the word Successor is taken for him that actually succeeds in the Government, and not for him that is actually excluded.

May we not to this Questionist who was as I may say, such a Mountebank of a Casuist, put the Question of Tertullian, *Rideam vanitatem, an ex-probrem cæcitatem?* And may we not properly bring in St. Austin's Casuistical Decision as to things of this Nature, *Hæc tolerabilius vel ridentur, vel flentur*, i. e. A man is at liberty either to laugh at or lament them.

I have in p. 41 of this Discourse mentioned D' Offat's Observation of Father Parson's often contradicting himself, and that very grossly in his Book of the Succession, as it happens to all Persons in passion as able as they are who are not guided by truth and reason, but transported by interest and passion: and I shall here further remark out of the same Letter of D' Offat by me there cited, that to those words last mentioned he there adds this, viz. *I will here name two of his Contradictions. He opposeth to the King of Scots among other things to exclude him from the Succession of England, That he was born out of England of Parents not subject to the Crown of England. He likewise opposeth to Arabella among other impediments, That she is a Woman, and that it is not expedient for the Kingdom of England to have three Women, Queens successively: and that often the Children of Kings have been excluded for being Women: and yet not withstanding he adjudgeth the said Kingdom to the Infanta of Spain, by preference even to the King of Spain, her Brother, as if the said Infanta were not a Woman as well as the said Arabella.*

I had almost forgot to observe how the Author of *The lawfulness of obeying the present Government*, that useth such thick paint of Equivocation in his sense of the word Successors, having pushed on his Question about any Clause in any Oath or Covenant forbidding obedience to the present Government and Authority, by adding to it the consideration of obeying it, when no other Government can be had, and of the Commonwealths going to ruine, if the present Government were not obeyed, and having thereby insinuated that the Obligation of the Oath ceased, was so horribly impolitick as to prop up that insinuation by a passage cited for that purpose out of a Popish Casuist, who saith, *That when a thing sworn is too difficult, or he that swore is by change of Abilities or Estate rendred less apt to perform: or lastly, when the thing sworn is an hinderance to the swearer from consulting the publick good, then there is a lawful Cause of DISPENSING in the Oath.*

We have here then found a Protestant and a Casuist-would-be exalting himself above all that is called God to Dispense with Oaths, a thing that Protestantism abhorreth, and a thing that the Oath had precluded in these words,

words, *I do believe and in Conscience am resolved that neither the Pope nor any other Person whatsoever hath power to absolve me of this Oath, or any part thereof.*

Thus as the *Author* hath by his interpretation of the word *Successor*, qualified an *Usurper* to have the benefit of the *Oath* of *Allegiance* to our lawful Monarch, so he hath bare-faced made himself *Successor* to the *Pope*, and an *Usurper* upon *Oaths* by *dispensation*.

More instances need not be given of the horror of *Heavens* withdrawing its ordinary influences from particular men of extraordinary parts, who after they have *despised Dominions* and *Dignities* and their *Oaths* to them, would be *Critical* inventors of new *Rules* concerning the *Allegiance* to Kings and the *Oaths* about the same, but who have thereby appeared more despicable than the *Pedants* who call themselves *Criticks*, whose skill in the *Minutiæ* of words or trivial *Niceties* in the *learned Languages* hath yet secured their pride from being humbled by erring in the sense of words in their *Mother Tongue*.

When I was writing the former part of the following *Discourse* out of my just Compassion to my Country, as well as to the Noble *Lord* and others, who suffered so unjustly by *Oaths* Assertory in the time of the *Martyrocrasy* (as I called it) when every single *Witness* was almost as considerable as *Ingulfus* the *Abbot* of *Crowland*, *Confessor* to *William* the *Conqueror* was in his time (of whom it was said, that *Quos voluit humiliavit, & quos voluit exaltavit*;) and when if the number of *Witnesses* had continued to encrease and swarm as it began, it would in time have scarce left any to be *Judges* or *Jurors*, and when some of them who were *bread-worshippers*, were yet almost as much adored by the *Mobile* of *Protestants* as the *Host* is by the *Papists*, I had thoughts to have entertained our *English* World with an account of the particularities of the usage that *Witnesses* in the Case of *Treason* find in the World abroad, and to have shewed how the Custom and Practice of Nations and their Laws have with all the *Critical Nicety* of *Politicks* imaginable provided that such *Witnesses* may neither be too much discouraged by fears nor encouraged by hopes, and that it frequently there happened that in the discharge of the Office of *Witnessing*, men were to expect so great an allay of trouble, and so much exposed to depend on the next World for the reward of their *Veracity* in this, as to prevent in this an allay of truth with falshood in their *Testimony*, and that sometimes when *Paupers* come to be *Witnesses* in *Criminal Causes*, they have not Beds of *Roses* provided for them, but are put to the *Rack*, and that ordinarily the bodies of such *Witnesses* are racked on their being found *vacillant* and *halting* in their *Testimony*, and whereby they had given *Judges* occasion to think that such *Witnesses* had first tried the *Rack* upon their *Souls* and *Consciences*.

But tho I thought any *Scene* of that would appear horrid to an *English* Eye, as it doth to the Eye of our *Laws*, I have yet in this *Discourse* mentioned how the *Jewish* Law by God's express Command took care to prevent mens *ambitus* in standing for the Office of *Witnesses*, by tacking thereunto the standing Office of *Executioners*, and I have in my *Notions* of infamous *Witnesses* exactly accorded with the Justice of our *English* Laws, our *lex terræ* being the allowed *Land-mark* for all to go by in matters judicial: and I have endeavoured by that to stop the Course of an infamous Person, when from an *Accuser* he would presently grow to be a *Witness* and *è Serpente factus Draco*, or as I may say, be always growing in *Arbitrary*

The Preface to the Reader.

Accusation, and like a *Crocodile* never come to his full *growth*; and I have not robbed him of his right of being an informer in Cases where the lives of Princes are concerned: and have moreover represented such a *Malefactor* capable by his *penitence* and subservience to the great influx of Providence on the safety of Crown'd Heads, of being thought his Countries *Benefactor* and a piece of a Founder to it, and could have gone no higher without following our *profanum vulgus* in making every Informer and *Witness* a *Saviour*, a word that *Cicero* was much scandalized at and taxed *Verres* about, because he found him at *Syracuse* written *σωτήρ*, a *Saviour*, and said that the *Style* of such an one could not be expressed in one *Latin* word.

I have moreover fairly stated how and when, and by what *exercises* performed relating to *Moral Philosophy*, an infamous Person may as a *Witness* commence graduate in *Credibility*.

But *Moribus antiquis stat Res Britannica*, and so I desire it may while the World stands; and as I have occasionally mentioned *Boccaline's* Character of the best Reformer, viz. One who leaves the World as he finds it, so I have took care to be no *Propounder* or *Innovator* about new *Methods* or *Systemes* of Politicks in the point of *Accusation* or *Testimony* which is so extraordinarily tender, and wherein I have found the wisest and greatest of the *Ministers* of Princes, to whose Custody the *depositum* of their Masters Crowns and Lives was committed, to appear undetermined as to their measures.

And of this *D' Ossat's* Letter 150th, and to *Villeroy* in the year 1602, hath transmitted to the World a remarkable instance, where he saith, I have received advice from *Lorrain*, that an English Divine called *Pitts*, having held Communication with a French Divine called *St. German*, about killing the King, and the said *St. German* having dropped some words whereby another came to understand it, the Bishop of *Toul* examining it caused the said *St. German* as well as the said *Pitts* to be put in Prison, and by the Party accused denying the Fact, his Condition is found better than the Accusers, who hath no way to prove what the other said to him, none else being present: which proceeding whether 'twas deliberate or by neglect, tends to this, that no man hence forward to whom any one hath spoken of killing the King, will dare to reveal it to any one for fear of being put in Prison, and punished: for that he was willing to save the life of the King and preserve the whole Kingdom: whereas in Cases of such Consequence it ought to be free to any man to Accuse another, not only without fearing any thing, but further with hopes of great Recompence: having a respect never the less not to believe too lightly, nor to Condemn any Person upon the bare Affirmation of another without good Indications and Proofs. I believe that the King advertised of this matter will at least take care of the Deliverance and Safety of him that could not endure to hear any speak of murdering him.

I am apt to think that the horror of the Fact of such an Out-rage to the Persons of Kings, so much astonishing the imaginations of the Loyal, and the very Idea of it being so ghastly as to affright them from Contemplating it, hath partly contributed to some Omissions in the Worlds providing against it: and it hath been so incident to Writers to mention it without thinking of its horror, that a late useful voluminous Collector we had, began the first Edition of the first Part of his Works with a very inauspicious Sentence, telling us of King James his declaring his being so much disinclined to Popery, because it holds Regicide and other grosser Errors: as if it were possible for any man of Sense to call such an execrable outrageous Treasonable practice, an Error, or to range it in the

Class

The Preface to the Reader.

. 51.

Class of *Errors*: or as if even any damnable *Error* or *Heresy* either could be more *gross* than that.

In the next Edition he a little mended the matter by saying, *and other gross Errors*: but he afterward mended the *Book* to better purpose by causing that *Sentence* to be quite left out.

My intended *Review* of this *Discourse* that I lately acquainted the *Reader* with, is mentioned particularly at the end of it (where I observe the Customariness of *Authors* of large *Discourses* bestowing on them a short *Review*) and do think that the *Corroborating* some of the various important *Calculations* therein, relating to matters Political, may perhaps be of publick use.

I shall not trouble my self with *Corroborating* any thing of the *Plot* which hath so much weakened the Nation, nor with strengthening any sayings of *Witnesses* that have weakened the Plot.

Let about 2 or 3 Lines that I think in this large *Discourse* may have referred to the propping up any little matter by citing for it the *Plot-Witnesses* in general, take their Fate to be either remembred or forgot by others as much as they are almost by me, and but one of whom is on the Account of Testimony so much as named, and whose name hath been mentioned in this *Preface*.

Nor shall I have occasion to *choque* any Party (or as I may rather say *all Parties*) with any thing of Controversy that may be called *Religious*: or matters that refer not to numbers.

But the fixing of *Political* Observations on numbers in some things so great as I have attempted, is a Task very difficult for a person much Superior to me in intellectual endowments, to do so clearly and satisfactorily as the matter will bear; and is not possible to be done by any without the Expence of that time in consulting *Records* and *Registries* and *Offices* of *Accounts* and many particular Persons, which I hitherto could not spare; but hope to be shortly able to do for my *Readers* satisfaction as well as my own: and having so done, I shall publish a *Review* of this *Work* by it self, making such *Additions* or other Alterations as to what I have here observed, as I shall see cause.

And as I have shewed that Reverence to the Age as not to expose my thoughts *Magisterially* of matters relating to *Numbers*, but have therein either cited *Authors* of Note about the same, (that so their *Credit* may vouch for the thing asserted and not mine) or have fairly my self *Calculated* the things, or if I have omitted either to cite *Authors*, or to make *Calculation* when I have asserted any thing relating to *Numbers*, I have still endeavoured to keep within *Compass* and *Bounds* in my reckoning, and not to favour my assertion by exceeding them, so I shall most readily on occasion acknowledge my *mistake* in any point however, or from whomsoever arising: nor can any man (I think) be tempted to do other in a matter of this Nature, and wherein his mistake amounts not to any thing like the making of false Money, or the designed putting it off in Exchange, but only to the false telling of true; and which I desire the *Reader* to tell after me as often as he pleaseth, and do wish him if ever he hopes that men would receive the belief of matters of moment upon his Authority, that he would first satisfy them that he hath implicitly believed no man: and for which purpose I once writ my mind by a poor plain *Verse* in the *Album* of a *German* on his importuning me there to write my name with some saying or other, viz.

The Preface to the Reader.

Is nulli credat, credi qui vellet ab omni ;

Meaning it, as to matters that may be reduced *ad firmam*, by *Calculation*.

I remember not that I have cited any *Authors* extravagant *Calculation* or *Error* without somewhat of a fair *Remark* on it, and do suppose any one to labour under a *Disease of Credulity* who doth otherwise: and do account that *Cicero* himself was therewith infected when as to the *Error* in a *Childish Report* he saith so gravely in his 2d Book *De divinatione*, *Tages quidam dicitur in agro Tarquinienfi cum terra araretur, & sulcus altius esset impressus, extitisse repente & eum affatus esse qui arabat, &c.*

For *Ovid* in his *Metamorphosis* to tell us this of *Tages* that Famous *Hetruvian* Sooth-sayer, was not so much to be wondered at.

Our Excellent *Historian* therefore of *Harry* the 8th, when he mentions that *Harry* the 7th left in his Coffers a *Million and 8 hundred thousand Pounds Sterling* to *Harry* the 8th, and such as might be thought effectively quadruple to so much in this age, did but right to his own Credit by inserting the *Clause* of, *if we may believe Authors*.

I have in p. 109 mentioned that when *Queen Elizabeth* came to the *Crown* (which was in the year 1558) the *Customs* made not above 36000 *l. per Annum*, and which I was induced to believe partly on the relation of some whose *Ancestors* were *Officers* of the *Customs* in her *Reign*, and whose *Papers* and *Accounts* they now have. But I found after the printing of that *Sheet*, that I had made sure of being within the *Compass* of *Truth* and likewise *Modesty* as to my *Estimate*; and looking into my *Notes* out of *Cambden* about it, I found that about the year 1590 and after all her *Glories* of 88, her *Customs* were farmed but for 14 thousand *Pounds Sterling* a year.

One would wonder that our great *Oracle* of the Law *Sir E. Coke* could err so grossly by his *Credulity* and inadvertence as he did, when he tells us 2. *Instit.* and *de statuto Judaismi*, that from *December 17th, An. 50. Hen. 3.* till *Shrove-tide 2. Edw. 1.* (which was about 7 years) the *Crown* had 4,20,000 *l. 15s. 6d. Sterl. de exitibus Judæorum*. And he there attempts to prove it by *Records* and refers to *Rot. patent. An. 3. E. 1. m. 17. 26. Middleton reddit Computa*.

But at the rate of *Silver* being now thrice in value *per Ounce* to what it was then, the *Crown* would have had then for those 7 years from the *Jews* as *Money* now goeth about 1,2,60,000 *l.* and none can think that the *King* would have thought a 15th given by the *Commons* to have been an adequate *Reward* for the *expulsion* of the *Jews*, had they been such beneficial *Guests* to him, as *Coke* mentioned. We may therefore naturally as to this say, *Credat Judæus, &c.* and *Mr. Prynne* hath in the second *Part* of his *Demurrer* to the *Jews, &c.* most plainly shewn *Sir E. Coke's* mistake in the *Record* by him cited.

I hope to be able in my intended *Review* to give some such further indications of the numbers of the *People* of *England* exceeding all the *Totals* of cautious *Calculators* I have referred to, as may be variously useful to the publick, as well as perfectly satisfactory to the *Curious*, among whom the *Enquiring* into the *Totals* of the *Numbers* of *People* in *States* and *Kingdoms* and their chief *Cities*, is of late become as much in request as was the enquiring before of the *number* and *strength* of their *Ships* of *War*.

I have mentioned before how some men of great Name have published it, that they think the People of *England* and *Wales* are but 2 Millions: and shall here take notice that a *Book* lately printed Entituled *Isaaci Vossii variarum observationum liber*, and Dedicated to his Majesty, doth in p. 66 represent somewhat of the Judgment of that Learned Person (and who in various sorts of useful Learning is deservedly held not inferior to any one in *Europe*) relating to the Numbers of People in *Spain* and *France*, *Italy*, *England*, *Scotland*, and *Ireland*, *Denmark*, *Sweeden*, &c. and where the People in *England*, *Scotland* and *Ireland* are represented to be Two Millions.

But had he been so fortunate as to see some of the Manuscript Discourses of Sir W. P. giving an account of the People of *Ireland* to be about 11 hundred thousand after he had Surveyed that Kingdom as Surveyor General, and after he had critically perused all the Books relating to the Chimney Money and the late Poles, and found that of the People of *Ireland* who paid their Pole-Money in the year 1661, the Number was 3,60,000, I doubt not but he would have concurred in opinion with him of the Total of the Number of the People in *Ireland*: and I likewise believe that if he had seen some late Estimates of the Numbers of People in *Scotland*, made by inquisitive Persons born and bred in that Kingdom, he would have been easily inclined to judge the People of *Ireland* and *Scotland* to be at least 2 Millions.

As I think that Learned Man was much short in his Estimate of the Numbers of People in his Majesties Realms, so I likewise think that he was in that of the numbers of the People in *France*, in accounting them to be but five Millions.

Cardinal Pool (I think) did very judiciously estimate *France*, to exceed us a 3d part in the number of People, as I have mentioned in this Discourse: and the Author of *The reasonable defence of the seasonable Discourse*, answering a Romanist who asserted, that *Popish Countries* were as populous as the Reformed, hath clearly enough shewn, that *Englands* not being fully peopled is not to be attributed to the Reformation, but partly to our being drained by our Plantations, &c. and he saith in p. 31, If *Spain* which hath Plantations be compared with us we are much more populous, as we are also than *Italy* which hath none at all. 'Tis true *France* exceeds us not having had that drain of Plantations till of late, and that sparingly in respect of us; and possibly somewhat of the populousness of *France* may be owing to the Reformation, as not obliging any to cælibate.

But if the Learned Author of that Reasonable Defence (who doth so well and carefully weigh the Nations there in the Balance of his Judgment) had considered what hath been by Sir William Temple remarked in his Excellent Survey of the Constitutions and Interests of the Empire, *Sweden*, *Denmark*, *Spain*, *Holland*, *France*, &c. viz. That the common People of *France* are as little considerable in the Government as the Children, so that the Nobles and the Souldiers may in a manner be esteemed the Nation, he would have agreed that tho *France* may exceed us in the Numbers of our People, it doth not in the weight of our Numbers (as I may say) by reason of the considerable weight of our Common People in the Balance of the State: and especially if he had likewise considered what the ingenious Author of the Book called, *The power of Parliaments*, mentions in p. 162, of the English (man to man) as allowable to be a third stronger than the French: and so I believe generally Northern Nations may be allow'd to that proportion to exceed Southern.

The Preface to the Reader.

And here by the way it occurring to me that the *Author* of the *Reasonable Defence* hath in p. 24 took Notice of his *Roman-Catholick* Adversaries instance of the *Treaty of Munster*, as upon which so many *Papist* and *Protestant Princes, Noblemen and Gentlemen* have either *Bishopricks, Abbies or the like* CONFIRMED to them by the *Pope* (and to make out what he had said, That none but the *Author* of *The seasonable Discourse* fancies the *Pope* cannot be tied to an agreement as well as other *Governors*) and that the *Author* of *The Reasonable Defence* hath impugned that instance by saying, But if after all this there be no such matter, if the *Pope* have been so far from confirming those *Grants* as to protest against them by his *Legate* in the *Treaty*, and afterward in a particular *Bull* hath damned them to the *Pitt of Hell*, what shall we say to the honesty and credit of the *Author*, &c. I am glad that by my *Historical Scheme* of the *factum* of that *Peace*? I have done that which may prevent both these *Authors* and other *Persons* from being further mistaken therein.

Most certainly (as I have shewn) the *Pope* did not by any *Grant* CONFIRM them: but they may be truly said to have *Confirmed* the *Papal Religion*, as far as the prevention of the *Ruine* of the *Empire* and *Emperor*, and the *Roman Catholick Princes* of the *Empire* and their *Subjects*, may be judged to have amounted to the *Confirmation* of that *Religion*. But that the *Emperor* and *Princes* and *States* of the *Empire* did as perfectly slight *Pope Innocent* the 10th's *Bull* of the *Nullity* of that *Treaty*, cited in the *Margent* of the *Author* of *The Reasonable Defence*, as I have mentioned the thing with *Historical Truth*, *Arch-Bishop Bramkal* in p. 178, of his *just Vindication* of the *Church* of *England* speaking of that *Peace*, and how thereby *freedom* of *Religion* was secured to *Protestants*, and *Bishopricks* and other *Ecclesiastical Dignities* conferred on them, and that many *Lands* and other *Hereditaments* of great value were alienated from the *Church* in *Perpetuity*, and yet the *Popes Nuntio* protested against it, and having there in his *Margent* referred to the aforesaid *Bull* of *Pope Innocent*, saith, yet the *Emperor* and the *Princes* of *Germany* stand to their *Contracts*, assert the *Municipal Laws* and *Customs* of the *Empire*, and assume to themselves to be the only *Judges* of their own *Privileges* and *Necessities*. And moreover *Sir William Temple* in his said *Survey* of the *Constitutions* and *Interests* of the *Empire*, writ in 1671, mentioning *The Domestick Interest* of the *Empire* to be the *limited Constitution* of the *Imperial Power*, and the *Balance* of the several free *Princes* and *States* of the *Empire* among themselves, saith, that those *Interests* have raised no doubt since the *Peace* of *Munster*.

While the *Jesuites* make the *Pope* infallible, and some *Anti-Papists* generally make him a meer natural *Agent*, that must always Act *Ad extremum virium*. I fear not to take a middle way, and to suppose him to be a rational *Animal*, and one that knows when the *Papacy* is not to exert its former *Principles* against the *Power* of *Kings* and *Lives* of *Hereticks*, and for this reason, namely, *Quia deerant vires*, and one who will not do it for the *Future* in all places, *Quia deerunt vires*.

He is not to learn the reasonableness of that *Gloss* in his *Canon Law*, that *Canes propter pacem tolerantur in ecclesiâ*, and especially when the *Heretical Dogs* are there the most numerous, nor needed he or the *Popish* or *Protestant Princes* of the *Empire* to have been minded of the *Dutch Proverb* so well known there, viz. *Veel Honden Zyn de' haez doot*, i. e. *Many Dogs are the Hares death*, and that the old sport of hunting down *Hereticks* with *Crusado's* was hardly practicable when both *Popish* as well

as

The Preface to the Reader.

: 55 :

as *Protestant* Princes were weary of it, and that therefore according to the saying, *Difficile est ire venatum invitis Canibus*.

Nor was either the Pope or the Popish Princes of *Germany* to be taught, that if ever there was to be that wild thing of a *Crusado* against *Hereticks* again, better use might be made of them than by killing them: and that it would turn to better Account to deal with them as *Matthew Paris* tells us on the year 1250 (the time about which *Crusado's* were most in fashion, and when *Pop's* that had a mind to ravish the Regal Rights of Princes would take an opportunity to do it by sending them on Fools Errands to the *Holy Land*) that the Pope dealt with the many *Pilgrims* who were *Cruce signati* in an Adventure for that Land; namely, that he very fairly sold those crossed *Pilgrims* for ready Money, as the *Jews* did their *Doves* and their *Sheep* in the Temple. And if the 100,000 *Hereticks* that I mentioned out of *Bellarmino* as slain by one *Crusado*, had been sold but for 20 l. Sterling each, a fond might have been thereby provided for the incommoding the *Turk* very much more than by the taking from him the *Holy Land*.

But the Pope and those Popish Princes are sufficiently sensible of their want of Power for any such Nonsensical Outrage: and I wish that our *English* Owners of the *Doctrine of Resistance*, and who with *Bellarmino* have agreed in that being the Cause of the *Primitive Christians* not attempting to shake the *Empire*, namely, because they had not strength to do it, were but as sensible as the Papacy is of their wanting strength to do it in *England*.

No marvel therefore that the *Jupiter Capitolinus* in his *Bull of Nullity* did not discharge the old Artillery of the Lightning and Thunder of *Anathemas*, and the greater *Excommunications* against the Emperor and Roman-Catholick Crown'd Heads and Princes concerned in the *Munster Peace*, as I have shewn, nor according to the Expression in the Reasonable Defence, damned them to the Pitt of Hell for it. No; both the World and the Papacy were so *Metamorphosed*, and their old fashions so far passed away, that those Popish Crown'd Heads found that there was in this *Bull* only what partly resembled that which *Ovid* tells us of in his *Metamorphosis*, viz.

*Est aliud levius fulmen, cui dextra Cyclopum
Sævitiae flammæque minus, minus addidit iræ,
Tela secunda vocant superi, &c.*

But as I just now expressed my wishes that some of our *English* Owners of the *Doctrine of Resistance*, were as sensible of their wanting strength to subvert the Rights of the Monarchy in *England*, as the Pope was of his wanting it to break the Measures of the Crown'd Heads relating to the *Munster Peace*, I have in this Discourse expressed not only my hopes but belief that nature it self which is thus always Acting to the Extremity of its Power, will overpower the Arts by which they have been seduced to Principles for endeavouring it: and will render the Principles of many of our *Protestant* Recusants coincident with those of the *Primitive Christians*, instead of those of the *Jesuites*: and that this Storm which the World hath brought on the *Irreligionary* part of their Principles as well as of the *Jesuites*, (both of which have brought so many dismal Storms on the World) will make them come to an Avarage, and to submit to the casting many of their Principles over-board as well as the *Jesuites* have been obliged so to do by the Pope, as Master of the Vessel commanding the same.

And

The Preface to the Reader.

And as in a *Storm* the very *Victuals* of the Mariners are often according to the *Maritime* Law cast into the Sea to lighten the Vessel, it may resemblingly be expected that many of our Dissenting Religionaries will now part with some of those *Principles* that have in their Religion-Trade afforded them a *Subsistance*; and that when they shall consider how this present Pope, notwithstanding the *Privilege* of a *Master* of a *Ship*, by which he may refuse to begin the *Factus* by throwing out first his own Wares and Goods, did about a year before he threw out the *Lumber* of the *Jesuites* and *Casuists*, throw over-board a vast Treasure of Papal *Indulgences*, and by which the *Ship* of the Papacy was formerly victualled.

It was by the Popes *Decree* of the 7th of *March* 1678, that a *Multitude* of *Indulgences* was suppressed; and the *Names* of 14 Famous *Popes* are there mentioned as having granted some thereof: and great numbers of others are by him quashed without mentioning the Popes by whom granted: and there was a particular *Clause* in the *Decree* that did shake the whole Body of *Indulgences*. And tho the *Virgin Mary* hath been by many of the *Vulgus* of Papists oftner pray'd to in *Storms* than the *Trinity*, and a printed Devotional Office called, *The Office of the immaculate Conception of the most holy Virgin our Lady approved by the Sovereign Pontiff Paul the 5th*, had been much in vogue in the *Papal* World, yet the Pope by his *Decree* of *February* the 17th, 78. damned that Office and (as I may say) threw it over board. And of this the *Author* of *Julian the Apostate* might have took notice if he had pleased, when in his Comparison of *Popery* and *Paganism* he instanced in the transposing of part of the *Psalms* to the *Virgin Mary*, after the mode of this Office that had been suppressed about 4 years before.

The old stubbornness of Popes against the making any *Reformation* of Abuses and Errors in their Church hath been commonly observed: but I believe that considering the great Figure *England* makes in the World, it may not be unlikely that the brisk Spirit of Opposition against *Popery* that had displayed it self in *England* for about 8 years before the *Plot-Epoch*, and the sharp and learned Books that were in that Conjunction printed here against the Abuses of the Church of *Rome*, might much contribute to the laudable Proceedings of this Pope in those *Decrees* I have mentioned. And therefore when Nature had thus enforced the Papal Chair in so great a Measure upon Recantation, and a great deal of pretended infallibility was thrown over-board, (and that even relating to some Principles that might be called Religionary) it may reasonably be thought that the same operation of Nature will produce among our little *Protestant* Recusants a tacit renuntiation of the Irreligionary part of those very Principles, that both the World and themselves must needs see they have transcribed from *Popery*.

The *Complication* of the Principles of Irreligion that hath joyned the *Jesuites* *Popery* with that of our former *Presbyterians* *Popery*, hath long been as visible as the great *Isthmus* (I spake of) that joyns the *Mexican* and the *Peruan* parts of the new World: and as I being to explain as in a *Dictionary* what I meant by *Popery*, I would not expose my self to the Critical Religionary Controvertists by nicely defining *Popery*, (the Observation being no less than a Rule in the Civil Law, that *omnis definitio in jure Civili periculosa est, parum est enim ut non subverti possit*) but gave the Description of my sense of it as before in this *Preface*, so if I were to give a Description of our Scotch Presbytery as Covenanted to be here introduced, I would take the said Description of *Popery* and only *mutatis mutandis*,

tandis, say that by *Presbytery* I mean the power of our *Presbyters* in imposing *Creeds and Doctrines and Rules of Divine Worship* on men, and the *Presbyters* jurisdiction interloping in that of our *Princes* and their *Laws*, and the doing this by the *Charter of Jus Divinum* and as they are *Christs* pretended *Vicars*, and do account that its intended *Arbitrariness* here in *England* justly appeared as terrible as that of *Popery*, and that our *Consciences* being enslaved to a *Foreign Bishop* is not more inglorious than their being so to our fellow *Subjects*, and that a blush being divided among ten thousand *Ecclesiasticks* after they had out-raged our *Laws* and our *Consciences*, would have here been no more seen by us than one at *Rome* on occasion of any *Popes* there blushing after they had so done.

I have observed in this *Discourse* how that part of *Presbytery* that may (tho erroneous) be called *Religionary* as practised in some *Foreign Churches*, hath here decayed and must so naturally more and more: and was glad to hear, That since the putting the *Laws* in *Execution* against *Protestant Recusants*, those of them who were called *Presbyterians* have, on recollection of thought, and after Conference had with our *Divines* forborn their former *Schismatical* Separation from our *Churches*, and that particularly in our *Metropolis* they have in all things been amenable to the *Doctrine* and *Discipline* of our *Church*, except as to the submitting to have their *Children* baptized with the use of the *Sign* of the *Cross* there, and their *Superstition* in not complying with which will I hope not be long lived.

The gradual encrease of the *Christenings* in some *Parishes* in the *Country* that I have seen *Accounts* of, (and in which places the *Dissenters* formerly were very numerous) hath been to a far greater *Proportion* than the gradual Encrease by me remarked as to *London*, and within the same years. And a *Learned Divine* who is *Minister* of a *Parish* not far from *London* hath acquainted me, That the number of *Communicants* being there about the beginning of those years but a 100, hath since arisen to 400: and I believe that generally the numbers of *Conformists* may have much encreased in the *Country* beyond the proportion of their Encrease in the *City*, and may probably do so for some years.

Tho there are several *Merchants* and rich *Traders* in our *Metropolis* who are *Dissenters*, yet I have observed, that the gross of their numbers consists there of ordinary *Retail-traders*: and as these have been naturally *Sufferers* there by the *Cities* so much removing *Westward*, and by the *Retail-trade* being so much gone to the other end of the *Town* (and are likely so to be more and more) so it hath been and will be natural to them to be more and more querulous: according to the saying of, *Omne invalidum est Querulum*.

And in this Case it will be natural to them both to support their decaying *Trade* by *Religionary* Combinations, and perhaps to fancy *Religion* itself breaking together with their *Bankrupsy*, and both for the *Consoling* one another as *Socii doloris*, and likewise relieving one another thereby, to endeavour to keep *Heterodox Religionary Societies* as long and as much as they can.

But *Necessity*, the known *Mother* of *Industry*, must naturally in time cure them of their *Poverty* and *Temptation* to *Heterodoxy* thereby.

Our *Quakers* are by many thought to be a kind of a *Roma subterranea*, but whether justly or no, I enquire not: nor shall I give my opinion in it till the *Principles* of their *Light within* shall be exposed to that *without*; many of which *Principles* have hitherto been by them kept as hid from

the World as were the *Subterraneous* Lights preserved in the *Roman* Monuments, and as to which *Principles* they are perhaps conscious that when they shall be exposed to the Air and Light of the Sun, they will be as naturally extinguished as those Monumental Lights were when occasionally brought into the open Air.

But one of their known *Tenets* being the *unlawfulness* of Oaths, I account they have an advantage thereby beyond the *Presbyterians* or *Independents* in their Claim to *Indulgence*, by demanding it in a *Doctrinal* point wherein there is *Dignus vindice nodus*, by reason of some words in the 5th of *St. Matthew* and 5th of *St. James* seeming *prima facie* very emphatically and vehemently to forbid all manner of swearing, as the *Commentators* generally observe.

And in this point they are entituled to a very true and great Compassion because, of the very false *Comments* so many true *Protestant* would-be's Actions have made on their great promissory Oaths beforementioned: and for that they have not outraged their Natural Allegiance by *Rebellions*, as many other Dissenters have done. If therefore to those *Tea and Nay Men*, the King should grant such a Charter as the men of *Rippon* had from King *Athelstan*, namely, *Quod homines sui Ripponienses sint credendi per suum yea & per suum nay, in omnibus querelis & curiis licet tangentibus Freed-mortel, &c.* I should not grudge it them.

And to speak frankly, I know not but this their sullen Principle may be subservient to some great Birth of Nature, that may happen perhaps within an Age or two, when shame may in the more populous World have so far exterminated *Fraud* and *Cozenage* and the danger of *Perjury*, as that the manner of our Oaths Assertory before Tribunals may grow obsolete: a thing I account not altogether improbable, since I myself observed that in a Case that happened before some of the greatest Peers of the Realm, Authorised to give an Oath as being the Lords Commissioners of Prizes in the first Dutch War, it appeared that there was somewhat in Nature that had greater weight than an Oath among some men, namely, Reputation: for many Merchants being present at a sitting of their Lordships, and one of them claiming a Ship and lading before them as wholly belonging to *Hamburgers*, and shewing himself ready to swear the same before their Lordships, one of the Lords asking him if he would on his Reputation declare that no Subject of the States of Holland was as Proprietor therein concerned, he refused to do it.

But before this Golden Age of Morality may come, and the bending Leaden-rule of Oaths hath been laid aside, I expect that the Names of several of our Religious Parties will be forgotten, and be as insignificant as the word *Lollards* and *Lollardies*, and to suppress which every High Sheriff is still bound to by his Oath, and who perhaps may think that the *Lollards* were *Papists* or some *Heterodox* People or other.

And therefore were I Master of never so much leisure I would bestow no part of it on the writing against those Religious Errors that have been so often confuted, and especially when I see the Circumvallations of Nature so carefully wrought in its Siege against them, as that it cannot miscarry; and no man having fixed his Judgment of Nature's Course, need Spur it on, and according to the Words of the Great Prophet, *He that believeth shall not make haste.*

Notwithstanding the severity of all our old Laws against Popish Recusants, it hath been for the honour of our Reformation, that the Government hath notified it in the times of Queen Elizabeth and King James, that

that no Roman-Catholick here suffered death for his Religion, and notwithstanding all the Penal Laws against Protestant Recusants and Recusancy; our pious Princes have without any general Relaxation or Suspension of those Laws, shewn signal favours and indulgences to many particular Persons who appeared to the Eye of the State to be really Conscientious and to hold no Principles that would create disturbance to it.

And as I have mentioned that Mr. Cotton was particularly indulged, so I might likewise Assign many other instances of this Nature; and particularly of the known Letter of Edward the 6th to Cranmer to omit some Rites in the Consecration of Bishop Hooper, and of some Indulgences in Queen Elizabeth's and King James his time, and others in King Charles the First's, in favour of particular Protestant as well as Popish Recusants. And to this purpose the History of the Life of Mr. Hildersham, one of the most Eminent Divines that Puritanism had bred, mentions that on the account of points relating to Non-Conformity, he was very frequently suspended *ob officio & beneficio*, and very frequently restored to the same: and the same thing appears in the life of Mr. Dod an Antesignanus among them: and both these Divines in their printed Writings asserted the Principles of their Loyalty and impugned the Doctrine of Resistance, as likewise some others of the Puritan Divines did, and were therefore particularly indulged. And Mr. Prynne shewed himself extremely partial in reflecting on the Government as he did in his Seditious Book called, *The Popish Royal Favourite*, by not taking notice of the Relaxation of the Penal Laws made in the Case of particular Loyal Puritans and Non-Conformists, as well as in the Case of particular Loyal Papists.

But if the Government thought it so often necessary for its safety to revoke its particular Indulgences granted to Hildersham and Dod (for the former being silenced in June 1590, and restored in January 1591, was again suspended and silenced in April 1605, and after he was again restored in January 1608, was again silenced in November 1611, and being June 1625 restored to preaching, was in March 1630 again silenced; and the latter of them found the like vicissitude of favours and punishments too tedious to be here inserted) how can the Government be now secure in granting an Indulgence to other particular Protestant Recusants more than only *durante bene placito*, or *quam diu bene se gesserint*, after all the Dis-loyalty of the Principles and Practices chargeable on so many of them since 41, and not known to have been since abhorred by them? But our Parliaments not knowing but only suspecting so many of their owning their former Principle of the Doctrine of Resistance (and who did therefore in the toleration of any Heterodox Religionaries in their own Families restrain them to a number only of four other Persons to be present) seemed with the mixture both of tenderness to the Consciences of those Religionaries, and likewise to the publick Peace, to draw the Copy of that *Modus* of their limited Toleration, in some sort after the great Original of the old Decree at Rome against the Bacchanals, and by which it was ordered that they should not as before be observed at Rome or in Italy: but that *Si quis tale sacrum solenne ac necessarium duceret, nec sine Religione ac piaculose id omittere posse, apud Prætozem urbanum profiteretur, prætor senatum consularet: si ei permissum esset, cum in senatu centum non minus essent, ita id sacrum fieret, dum ne plus quinque sacrificio interessent.*

But most certainly whatever Complaisance with the Consciences of any pretending Religionaries that Parliament intended, had they had any Prospect

The Preface to the Reader.

spect of *four* Persons being present any where that held any *Principles* destructive of Monarchy, and that inclined them to *sacrifice* our Princes and Laws as formerly, they would have accounted those *four* too many to be tolerated. And the dreadful Out-rage the Government conflicted with, when *Venner* and the other few *Fift-Monarchy* men came out of the *Tiring house* of a private Religious Meeting in *Coleman-street*, to *Act* the part of *Furies* as they did in our *Metropolis* (and that beyond the *wildness* of any mad *Bacchanal*) may well be an instance of *Caution* against many of a Party whose *Principles* are not known, being trusted together with themselves.

Yet after all this, as once in a little *Nominal Parliament* we had in the time of the *Usurpation*, it was ordained, That all Persons that could speak should speak the enjoined words of *Matrimony*, and that all that had hands should there joyn hands, so I believe that in any future Conjunction, particular Persons, who by the *Loyalty* of their *Principles* and *Practices*, and by their being ready to attend our *Divines* for instruction, can make it appear, that they have *Consciences*, will have no cause to complain of their being not free.

But by an *Accident* of Moment that hath offered it self to the consideration of our *Protestant Recusants*, since the *Epoche* of *Plots* and *Rumours of Plots*, I doubt not but they will find an imminent necessity to make it demonstrable to the World, that they own no *Principles* destructive of it: and that particularly the easie access that *Witnesses* have found to *Credibility* on their swearing *Plots* against *Jesuitick Popish Recusants*, by the *Precipice* of the *Principles* on which they stood being so conspicuous to the World (and from whence the very *breath* of their *Adversaries*, of how mean and despicable parts and fortunes soever, hath served to throw them down headlong into ruine so easily) will be an effectual *Document* to all *Recusants* who would prevent the danger from *Plot-Witnesses*, that the very next thing to be done by them is their bearing their *Testimony* against *Principles* of *Dis-loyalty*.

The late *Bishop of Winchester* (to the *Character* of whose *Loyalty* and *Learning* *Christendom* is no stranger) having his thoughts on the Wing, and ready to take their Flight to that Region of *Bliss* where none are admitted but Souls that part hence with a noble disposition to *Charity* for all *Humane* kind, thought fit in his Prospect of that World and in the great *Interval* of his *Preparation* for it, to send to the Press his *Book* called *His Vindication*, &c. printed in 1683, and in the *Conclusion* of it to transmit his opinion to the Age and *Posterity* that ever since the *Reformation*, there have been *two Plots* carried on by *Papists* and *Dissenters*, and that the same would long continue.

He had there mentioned *Mr. Baxters* justifying the late War, and quoted him for saying, that as he durst not repent of what he had done in the *afore-said War*, so he could not forbear the doing of the same if it were to do again in the same state of things. 'Tis true indeed (saith the *Bishop*) he tells us in the same place That if he were convinced he had sinned in what he had done, he would as willingly make a publick *Recantation* as he would eat and drink when he is hungry and thirsty. But neither he nor any of the *Non-Conformists* that I have heard of, hath as yet made any such publick *Recantation*, and therefore we may rationally and charitably enough conclude, That they are still of the same Judgment they were then, and consequently that their Practice will be the same it was then when any opportunity invites them to it, &c. And then proceeds to say, For mine own part I must confess as

I

I always have been, so I am still of opinion that ever since the Reformation there have been and are two Plots, carrying on sometimes more covertly, and sometimes more secretly, the one by those that call themselves the only true Catholicks, the other by those that call themselves the only true Protestants, and both of them against the Government as it is Established by Law both in Church and State: and as there always hath been, so there will be Plotting by both those Parties until both of them be utterly suppressed: for as for making of Peace with either of them, I take it by reason of the perverseness of the one, and peevishness of the other, and the Pride of both, a thing not to be hoped for.

How much my poor Measures of *Futurity* do differ from his Lordships, in the Case of our Popish and Protestant Recusants, the Current of my *Discourse* shews: and am sorry that he, having used this harsh sounding word of *Plots*, described not his *Idea* of the particulars thereof relating to the time to come, and that he innodated in this his *Censure* (as it were) the *Body* of the two Religious Parties, without any exception of the *Loyal* in both.

But I have observed it in a printed *Letter* of this Reverend Prelate to the Earl of Anglesey, of the Date of July the 4th, 1672. where having spoke of the keeping out of Popery now it seems to be flowing in upon us (as his words are) that he saith, *You know what I was for in the late Sessions of Parliament, I mean (not a Comprehension) but a Coalition or Incorporation of the Presbyterian Party into the Church as it is by Law Established; and I am still of the same opinion, that it is the one only effectual expedient to hinder the Growth of Popery and to secure both Parties: and I am very confident that there are no Presbyterians in the World (the Scotch only excepted) that would not conform to all that is required by our Church, especially in such a Conjunction of time as this is.*

My Scope by quoting this *Letter* is to shew that about 10 years ago, the Bishop was not of opinion that Nature had condemned the Presbyterians to eternal Plotting against the State, but that a *Coalition* between that Party here and our Church, would then naturally happen: and as to which I have shewn how far he was fortunate in that his Conjecture, by the late great advance of those called Presbyterians toward Conformity, and that therefore his *Opinion* varying in 83 from what it was in 72, as to the Presbyterians, it might (had he lived longer to have writ again) vary perhaps as to the Papists being Plotters with a *Continuando*, and he might have recanted that opinion as much as he would have had Mr. Baxter recanted his. And I would from that his *Letter* shew, that we have the less reason to be mortified with the fear of the continuance of these 2 *Plots*, or to be tempted to uncharitable thoughts of the whole Body of the Papists upon this Bishops opinion, as delivered in what I have cited out of his *Vindication*, because one expression of it includes so much of Humane Frailty and Error, viz. his Lordships saying, *That he was ALWAYS of opinion, that since the Reformation these two Plots were and would be, till both the Parties were utterly disabled and suppressed; for when he writ the said Letter, his Opinion appeared otherwise.*

And there is another use I would make of this Pious and Learned Prelates having given such an *Alarm* to the World concerning the *Plots* of these Heterodox Religious in future time, and of his having made them as to *Disloyalty* to be in a manner *damnati antequam nati*; and that is this: namely, That the only substantial thing that could give weight to this *Censure* of these two Parties being their *Principles*, and that the great allowance

The Preface to the Reader.

of this Bishops *Opinion* as *Oracular*. by so many, being likely to throw so much lasting *Odium* on the *Principles* of *Popish* and *Protestant* Recusants as *Hostile* to Church and State (whereby any disloyal *Practices* charged on them by their Adversaries, tho perhaps very unjustly, will naturally be the sooner and more easily believed, as I before hinted) it may hence appear necessary for men to go, or run, and even fly from *Principles* of Disloyalty as soon, and as fast, and as far as they can.

But as I have here *observed* it to be the *Interest* of our *Heterodox* Religionaries to disclaim all *Principles* that I called *Convulsive* of *Civil* Society, and the Concern of every *Country* to have those *Principles* notified (and as fairly and particularly delineated and described as are the *Beds* of *Sands* and *shoaly* places and rocky *Bars* of its *Harbours* and *Sea-Coasts* by *Hydrographers*) so I shall likewise observe that the sharp Execution of any of the *Penal* Laws hath not to the *Faction* among the *Protestant Recusants* appear'd so afflictive as the publication of the *Principles* and printed *Sayings* of their *Pastors* since 41, and the which seemed to be like the *Doom* of the *Priests* in *Malachy*, namely, to have the *Dung* of their *Solemn Feasts* spread in their *Faces*: nor could they call such usage of their *Tenets*, any *Trial* of cruel *mocking*, nor the *Publishers* any of *The Mockers* that should be in the last times, since their very *Sayings* and *Tenets* have been plainly and briefly published in their *Authors* own words and without *Addittaments*.

As to the *Papal Tenet* in the *Canon Law*, dilated on in the following *Discourse*, I have there in p. 181. sufficiently shewed my *Aversion* to contribute any grief or trouble to *Loyal* *Papists* by the notifying the same in the hot time of the late *Fermentation*, and while some factious *Anti-Papists* were so busy in senseless *Narratives* to load a great Body of them with the guilt of its Practice; and when, I had any inclination to shew my self unchristianly or ungenerously disposed, as to the Persons or Religion of *Roman Catholics*, I might with the expence of an hour or two's time have easily gratified such a corrupt Humour, by descanting on this *Tenet*, among the *Pamphleteers* and *Sheet-Authors* whose feet were accounted beautiful by the *Mobile*, for any dirt their hands threw at the *Papists*, before the *Epoche* of the *Declaration*, after the *Oxford* Parliament. And after the restoring of the *English* Genius, or as I may say, of the *English* understanding to it self, that thereby happened, I account that the Notification of any *Tenet* chargeable on the *Papacy* or *Presbytery* referring to the Measures of Loyalty, or preservation of the Rights of *Civil* Society, could bring no damage in the least to any Recusants Person whatever it might to his *Erroneous Principle*. And I having accounted it a kind of nauseous superfluity to confute at large any one of the old *Religionary* Controversies between our Church and that of *Rome*, was willing thus to reserve the discussion of this *Irreligionary* *Tenet* (how proper soever to be known) till some healing *Conjuncture* of time; and when I might hope by discussing the same and thereby effectually satisfying any Considerate *Excluders*, that I was no *Papist*, to bespeak their Approach with more Candour to my great *Casuistical* point discussed.

I have sufficiently shewn in this *Preface* how much it imports our Security and Loyalty, to have the *Fantome* of the *Judicial* Law exorcised out of mens understandings, and am ashamed to think that *Christians* do yet no more know the certain time of the Burial of that Body of *Moses's* Laws, than the *Jews* do the place where his deceased natural Body was laid. I know that some of the old *Schoolmen* have told us that that Law was

was given only to the Jews: but when so many Popish Universities and Casuists told our Harry the 8th, That his Marriage was against the Law of God, the World wanted teaching in this point: and the Tutelar Angels even of Protestant Countries are still in effect put to it to contend with the Devil about the Body of Moses his Law: and if any one hath a desire to see the dreadful impressions that that Law hath so lately made abroad in the World and here in England, and that have much detaced our Loyalty and Religion, I shall refer him to Dr. Hicks his printed Sermon called *Peculium Dei*, where he hath given us very Learned Remarks, That many unsound Judaising Christians have still dreamed that the Mosaic Code was yet in force, and that Carolostadius and Castellio about the time of the Reformation asserted the Doctrine of the validity and indispensable Obligation of the leges forenses of the Jews: and that many, tho they did not assert the validity of the whole Mosaic Code, have yet asserted the indispensable obligation of some particular Laws in it, to the great scandal of the Protestant name, and particularly that against Idolatrous Persons and Places the Mosaic Laws are still in force: and that for want of distinguishing in the Decalogue and the Laws which follow after it, many men have run into many gross unfortunate Errors; and he hath there referred to the Ancient and Modern Sabbatarians, the Writers against Usury, the Modern Iconoclasts, the Strict Divine Right of Tithes, and Tithes of Tithes, or Tenths to the Pope as the Christians high Priest, and to the Assertors of the unlawfulness of the Supreme Magistrates pardoning Murder which God made unpardonable among the Jews: and to Baronius and Bellarmine arguing thence for the Popes Supremacy: and to Pope Adrian the 6th moving the Princes of Germany, to cut off Luther and his followers, because God cast Corah and his Company down to Hell, and commanded that those who would not obey the Priest should be put to death: and to the Promoters and Abettors of the Solemn League and Covenant, which some have equalled to the Covenant of Grace, and were wont to express themselves about it in the Text and Phrases of the old Testament, which concerned the making, breaking, or renewing of that Political Covenant which God made with the People, and afterwards with his Vice-Roys the Kings of the Jews: and to the specious popular Arguments used by the former and later Rebels in Great Britain, for Deposing and Murthering Kings, and to the Speech delivered at a Conference concerning the Power of Parliament which is nothing but Doleman alias Parson's Title to the Crown transposed.

And under this head we might refer to the Covenant mention'd among the Independent Churches.

Mr. Burroughs one of the best of our late Independents, quoting Deut. 13. 6. If thy Brother, the Son of thy Mother, &c. Chap. 5. of his *Irenicum* saith, Let not any put off this Scripture saying, this is in the Old Testament, for we find the same thing, almost the same words used in a Prophecy of the times of the Gospel. Zech. 13. 3. He saith indeed that by those words in Deut. the meaning is not that his Father or Mother should presently run a Knife into him, but that they should be the means to bring him to condign punishment even the taking away his life.

Calvin likewise in giving his sense of that place of Zechary foresaw the Odium of having any killed without going to the Judge, and there saith, *Multò hoc durius est, propriis manibus filium interficere, quam si ad Judicem deferrent.* But here Mr. Burroughs and Calvin have Categorically enough asserted what the Judges duty is in the Case, and I have said what Calvin effected by going to the Judge about Servetus.

Gundissalvus

The Preface to the Reader.

Gundissalvus doth not determine the lawfulness of burning an Heretical City without going to the Judge; and the lawfulness of Protestant Princes judging the Persons or Cities of Idolaters to be destroyed by the pretended Obligation of the *Mosaic Law*, is chargeable on the *Anti-Papists* I have mentioned: and I believe there are few of our *Presbyterian* or *Independent* Enthusiasts, but who think it as lawful to burn Rome as to roast an Egg.

But the Church of *England* abhorreth this *flammeum & sulphureum evangelium*: and Dr. *Hicks* in the Preface to his *Jovian*, taking notice of the Reasons which the *Papists* urge for putting Heretick, and the scotising *Presbyterians* for putting *Popish* Princes to death, saith thereupon, I desire Mr. J. to tell me, Whether he thinks in his Conscience, the Bishops of the Church of *England* could argue so falsely upon the Principles of the Jewish Theocracy to the like proceedings in Christian States? And saith, if this way of arguing be true, then the Queen (meaning Queen *Elizabeth*) was bound to burn many *Popish* Towns in her Kingdom and smite the Inhabitants with the Sword, &c.

I have therefore thought it Essential to the advancement and preservation of *Loyalty*, to endeavour to have the *Papal* and *Presbyterian* Error as to the Jewish Laws exterminated.

And the settling of this point is the more important to the Measures of *Loyalty*, because the same Chapter in *Deuteronomy*, viz. the 13th, that hath been the Popes *Palladium* for his power of firing Heretical Cities, hath likewise been made use of by our deluded *Excluders*, as theirs to recur to in a practice so scandalous to *Loyalty* and to the Protestant Religion, and which hath too much appeared in the many Factious Pamphlets for the *Exclusion*; and as I hinted that that Chapter of *Deuteronomy* was impiously applied in a former *Conjuncture*, for putting the Queen of *Scots* to death, so the pretended lawfulness of the *Exclusion* by arguing from the greater to the less, was by the deluded generally inferred from that Chapter: and the place I just now referred too in the Preface of *Jovian*, mentions, Mr. J's arguing from *Deut. 13. 6. If thy Brother, the Son of thy Mother, &c.* in citing of which (saith the Dr.) it is evident on whom our Author did reflect.

The very exposing the absurdity of the *Papal* power of destroying Heretical Persons and Cities on the account of the *Mosaic Law*, will (I believe) as by Consent of the sober of all Parties much help to exterminate the aforesaid Error, which hath cost the *Papacy* so dear, and naturally tempted so many *Calvinists* to own the same Error, partly by way of retaliation, and not altogether through defect of Judgment: and I doubt not but if the *Papacy* were now to begin to claim the allowance of exercising the Jurisdiction over all *Christians* in the World as the *High Priest* did over all proselyted to the Jewish Religion (and as appears by not only the *Inhabitants* of *Palestine*, but others of the most remote Countries, and particularly by the *Æthiopian* in the Acts of the Apostles owning subjection to the Jewish Priesthood) it would stop at the Conquest of that *Oecumenical Power*, and Tenths of the *Levites* thereby, without demanding the Power to destroy Hereticks Towns, and to exterminate the Persons of Hereticks by *Crusado's*, as other dependencies on it. But the *Papacy* hath long ago passed that bloody *Rubicon* of the *Judicial Law*, and cannot in Honour or *Politicks* go back: nor will any Pope expressly renounce the Power of compelling Princes to exterminate their Heretical Subjects, tho yet the Fashion of the exercise of this Power be thus as I have

have shewed, *tacitly* passed away, and as a thing necessarily *impracticable* in the more populous World.

And no *Jesuited* Papist dares *disclaim* this Power in the *Pope's* behalf or impugn the same; however it was a thing that the Pope could not but foresee, that his *quashing* the *Jesuites* Power to kill men by *retail*, would render the *Jesuites* averse from writing for his Power to kill Heretics by *whole-sale* and by *Crusado's*, or for the power to fire Heretical Cities, if there were occasion to have any such power asserted in behalf of the *Papacy*, as I believe there neither is nor ever will be. But partly according to my *Conjecture* of the *Result* of the *Fermentation* about the *Regale* in *France*, I suppose that tho the *Papacy* will no more be brought to *disclaim* its pretended Monarchy over other parts of the World in *ordine ad spiritualia*, than the Dukes of *Savoy* will the *Title* of their being Kings of *Cyprus*, yet it will be neither able or studious to prosecute its *Claim* of such power by disordering the World as formerly.

All the personal *Vertue* and *Probity* of any *Popes* will never incline them to pronounce against their *Jurisdiction*, however they may thereby, and by want of strength to execute it, be kept from the old injurious *amplifying* it; and on this slippery *Precipice* the *Papacy* still remains, and from whence through the natural *Jealousie* of *Crown'd* Heads and *States* in the point of *Power*, it will probably fall down to its tame *principium unitatis*, and its *Patriarchal* Figure, and in time to nothing.

But by many of the *Anti-papal* Sects, and such as call themselves *The only true Protestants*, still owning the *Obligation* of the *Jewish* forinsec *Laws*, a *Necessity* is by God and Nature put on the *Protestants* of the Church of *England* to Combat such pretended *Obligations* by dint of Reason, and thereby to support the *Rights* of their *Princes* without *Condition* and *Reserve*, and which no *Jesuited* Papists or *Protestants* either can or will do.

Nor is it safe for *other* Papists to own Principles that touch the *Pope's* imaginary *Monarchal* Power. For *Power* how *fantastick* soever, would seem a serious thing and will endure no *raillery*, and the honest Father *Caron* whom I have mentioned as citing 250 *Popish Authors* who denied the *Pope's* Power to *depose* Princes, doth tell us, that the *Pope's Nuntio* and 4 *Popes* condemned his Doctrine, and the *Inquisitors* damned his *Book*, and his *Superiours* his *Soul*, I mean, they very *fairly* excommunicated him for it.

There is another thing that may render the knowledge of this *Papal Tenet* worthy of the entertaining our *Curiosity*, tho we are past its danger; and that is what occurs to me that I lately mentioned in a *Discourse* I had with an intelligent Person of the Church of *England*, who saying to me that there was one part of the barbarous *Out-rage* of the *Gun-powder Treason*, which was very scandalous to *Humane Nature*, and which he thought could not be pretendedly legitimated by any *Papal Principles*, namely that part of the *Out-rage*, that related to the designed destruction of so many *Magnificent Piles of Building*, and of the adjacent City of *Westminster*, and the lives of thousands of Men, Women, and Children with one *Cruel Fatal Blow*, I gave him an account of the *Tenet* in the *Canon Law*, grounded on the 13th of *Deuteronomy*, so fairly and fully discussed in the following *Discourse*, and whereby I satisfied him about the *Principle* that pretended to legitimate that part of the *Out-rage*: and do assure any man that as arbitrary as the *Papacy* ever was, it yet was so just as to inflict no kind of punishment on *Persons* or *Communities* that was not in its *Sanctions* intimated and for what Crimes.

The Preface to the Reader.

I have in this *Discourse* render'd some of our late *Fift-Monarchy* men *Principled* for all Villany imaginable, and justly Convicted and Executed for a design to fire our *Metropolis*, and in which design they had subtilly contrived to have backed their Out-rage with the terror of Armed Forces, nothing of which appeared in the *Case* of the two poor *French* Papists charged with the *Odium* of the Fact, and beyond which least of numbers it is not in this *Discourse* extended; and as to those two Persons, there being then open *War* between the *English* and *French*, it may be said, that the *Religion* of *Popery* might be out of the *Case* of any thing done by such as were *justi hostes*, as the Law term them, however I yet think that none concerned in the Government of that Nation, would then be so barbarous as to design us such an Out-rage.

Moreover I have in this *Discourse* said, that I will not charge the allowance of this *Tenet* on the generality of Papists either at home or abroad, and that no un-jesuited Papist nor perhaps some sober Party in that Order would think the worse of me for calling the Decretum of the Popes Canon Law, by reason of its empowering him thus to burn Cities, horrendum Decretum.

And because my knowing of this Papal *Tenet*, as founded on the *Judicial* Law, made me, after the beginning of this *Discourse*, to surmize, that more Papists might possibly be concerned in this Out-rage than really were, and so in my balancing the actings of some Loyal Protestant Recusants in *Ireland*, with some Dis-loyal ones of some Popish Recusants there and here, I mentioned the Out-rage on the *Metropolis* as done by Papists, (*i. e.* by Papists, and not by Protestants, and as Sir *W. Raleigh* mentioned that *Harry* the 4th was murdered by the Papists, that is not by the *Huguenots*) I yet thought my self bound in Christianity and Moral Justice to shew my self so far from being in the least misled by the scandalous and incoherent Narratives that reflected on a great body of the Papists, as concerned in such a horrid Fact, and particularly by that whose Author in a Plot with Booksellers had stole his *Fire* of *London* out of old printed *Examinations* before a Committee of *Parliament*, that I have shewn the ridiculousness of the *palmare argumentum* of the *Populace*, and cryed up as so unanswerable, to prove that very many Papists designedly fired the City, and which Argument I have not met with exposed to contempt by any other Person, and which had so far happened to work on the understanding of an ingenious man who employed himself in writing the *History* of *England*, since the King's Restoration, that he had been likely, but for my shewing him the Childishness of his Error, to have sent it to Posterity with a Crown, instead of a *Fools Cap* on its head.

And tho I have rendred the same *Tenet* of firing Heretical Cities, that is in the Pope's Canon Law founded on *Deuteronomy*, chargeable on our late *Presbyterians*, I have exempted the Persons of such our Protestant Recusants, from any guilt of an Out-rage against our *Metropolis* as *Idolatrours*: for whatever their Principles are, there is yet another sort of *Idolatry* prevalent among them as all Religionaries (and which I have referred to) namely *Covetousness*, that would secure them from firing their own Nests.

But here while I am troubling my self to do right to Papists and Presbyterians, I cannot without all the horror and detestation imaginable call to mind now a vile traiterous Subject of his Majesties, who presumed to call himself the Protestant Joyner, was so far transported with Madness and Fury, as to the scandal of Religion and Loyalty and common Sense, with

with the guilt of that Fire to reproach his *Prince*, whose Reign had so long signalized it self, with such a Father-like tenderness for all his Subjects. And yet in the T R Y A L of that *Monster* of *Calumny*, his slandering his Prince thus with so much desperate and ridiculous Malice was in proof. And ridiculous it may well be called: for what could be more remote from the least shadow of possibility, than a Prince of such Eminent Wisdom and known great Abilities, firing his own Chamber, and destroying his Revenue, and vastly impoverishing the People, and thereby weakening himself in the *Flagrancy* of War between *England* and *France*, and the *States* of *Holland*? It is absolute dotage and *Bedlam*-madness to imagine, that any one interested in the Government of *England*, and its being a *Kingdom*, could be in the least a well wisher to such an Out-rage. The very *Fist-Monarchy* men, who designed it, were abject *Paupers*, and the two *French-men* were no better.

But Justice found out that *Shimei*, who thus outrageously slandered the *Lord's Anointed*: and may all such his incorrigible *Enemies* be clothed with shame; and let them see that tho Heaven doth not think fit always to hide Princes from the scourge of the Tongues of men of *Belial*, yet at the same time it sheweth some tender regard of the honour of Crown'd heads, by abandoning the dis-loyal to reproach them with impossibilities.

It was observed by the late *Bishop* of *Winchester* in his printed *Sermon* before the *King* on the 5th of *November*, p. 18. That the *Doctrines* among the *Dissenters* that tend to *Sedition* and *Rebellion*, seem to be derived and borrowed from the *Church* of *Rome*: but his *Lordship* in the same *Page*, having before spoke of those *Doctrines*, said, That if they are believed and practised they must necessarily produce *Confusion* among us.

Yet having a regard to the *Piety* and *Peaceableness* of some *Dissenters*, and considering how long many of them had been trained up to *Principles* of *Loyalty* before they went off from the *Church* of *England*, we may reasonably have the better hopes of their not being able to believe the *Doctrine* of *Resistance* and *Principles* convulsive of *Civil Society*.

But we have of late found cause to judge, that that *Doctrine*, and those *Principles* have been believed and practised by others of them, and with such *Artifice* to amuse and divert the incautelous *Loyal* from the apprehension thereof, as was practised by several of the *Papists* a little before the *Gun-powder Treason*: for as at the end of the *Papists* *Supplication* to the *King* and the *States* of the *Parliament* in the year 1604, they undertake that as to the *Loyalty* of their *Priests*, they shall readily take their *Corporal Oaths* for continuing their true *Allegiance* to his Majesty or the *State*, or in Case that be not thought assurance enough, that they shall give in sufficient *Sureties*, one or more, who shall stand bound life for life for the performance of the said *Allegiance*; and further, that if any of their number be not able to put in such *Security*, that then they will all joyn in such *supplication* to the *Pope* for recalling such *Priests* out of the *Land* (and thus by the *Offer* of *Security* attempted to lull the *State* in a secure sleep and dream of their *Loyalty*) so have many of our *Protestant* would-be's by the publication of their NO PROTESTANT PLOT, so lately before their plotted Out-rage, done what was tantamount to keep our *Country* from being awake to observe the *March* of their *Principles*, till it should be surprized with the suddenness of *Sampson's Alarm* when it came to be said, *The true Protestants are upon thee*, I mean those who falsely call themselves so.

The Preface to the Reader.

I know no true Son of the Church of *England* owning a greater propension to afford favour to Heterodox Religionaries, in points *denominable* by *Religion*, than what my natural temper and habitual inclination prompt me to. And tho some men are apt to have a sharper regret against others for differing from them in *judgment*, than for a material *injury*, I am naturally so far from such an humour, as to be more pleased with, and to think my self better diverted by the Conversation of the Learned, whose *Sentiments* differ from mine in most points *Philosophical* and in many *Theological*, than by theirs who perfectly agree in *opining* with me therein: and do fancy to my self that I have the fortune hereby for my humour to accord with that of the generality of men of the gayest temper in the Age, how different soever their Religions are; and do suppose, that if such a *captious* fiery Bigot as Bishop *Bonner* were now living, the ingenious *Maimbourg* would scorn to keep him Company.

But the *present State* of *Christendom* making *Loyalty* a *Vertue of Necessity* here in *England*, (as I have shewn in this *Discourse*) I would abhor the Conversation of any *Dissenter* I thought *Disloyal*, as of a Person not only *wicked* but *stupid*: and on this *Rock* (as I may say) of *Loyalty* being likely so long to continue *Essential* to our continuing a Nation, have I built my *Conjecture* of the future happy *State* of *England*.

It is a possible thing that the serenity of its Future State may be for some little time over-cast by Clouds of Discontent, if the *Balance* of *Trade* should long continue to be against us, and that then forlorn *Paupers* instead of tearing *Popery* would for a while fear nothing at all: for *Nescit plebs jejuna timere*. But I have cited the *Observator* on the *Bills* of *Mortality* for accounting not above one in 4000 to have starved; and I having in p. 185 cited the *Author* of *Britannia languens*, for saying, that he heard of no new improving *Manufacture* in *England* but that of *Periwigs*, did give my Judgment, that the *Ebb* of our *Trade* hath been at the lowest point, and that *Nature* will necessarily hasten its improvement: and having observed in p. 66, that after a long Age of *Luxury* a contrary humour reigns as long in the *World* again, I have said that of that contrary humour I think we now see the Tide coming in, and have assigned one late *Woollen* *Manufacture*, by which *England* hath gained double as much as for 76 years, it lately did by the *Balance* of *Trade*.

But if any one of our true *Protestant* Plotters should be supposed ever to inveigle any of the poorer *Mobile* to fly out into tumultuous Disorder or Commotion, any such Commotion making an *Exception* from my general *Rule* of *England's* necessary future *pacific* State, would both certainly *firmare regulam*, and make the *Odium* of the Loyal *Populace* so keen against all *Principles* and *Doctrines* of *Resistance*, as to exterminate the same from our *Soyl* for ever, and to deter men as much from daring to propagate the same in *England*, as in those two most Famous *Receptacles* of Heterodox Religionaries, I mean *Amsterdam* and *Constantinople*.

Any one who will accord with me how necessary it was for the confounding of *Dis-loyalty*, that I should point out the fatal time when our *Trade* was confounded, viz. in *January* 1648: and any *Reader* of this *Discourse* will find the obvious way mentioned, how a Child of ten years of Age may know when the *Balance* of *Trade* is against us, and how long it hath been so, tho not to what proportion; and so whether I have been too sanguine in my fancy by predicting in effect that it will be for us, and long so continue, time will shew. But if I am out in my Measures as to that point, I am sure the *Divines* of the Church of *England* will gain *Cento*
per

per Cento thereby, as to the *point* of their absolute usefulness, and necessary encouragement under a Prince of what religion soever; and upon a wanton *supposition* that they had all withdrawn themselves to the remotest parts of the Earth, it would be any *Princes* interest to invite them back again at any rate, and that for their persisting in the *preaching up* of *Loyalty* as they have done for several years, and thereby so much helped to preserve us from weltring in one anothers blood.

It is excellently observed by *Lucius Antistius Constans* in his *De jure Ecclesiasticorum*, that the *C L E R G Y* is necessary to console us with the *World to come*, as to the hardships daily occurring to us in this, as well as to direct us in our Course to that *World*. And if contrary to my expectation, Heaven should think fit to punish the past *Rebellions* and present *murmurings* of so many of our Land, by any future diminution of our Trade (and when we should be enforced to work the harder for the necessary support of our Families and of the Government) 10000 *Preachers* of *Loyalty* will be an useful *Treasure* both to the Prince and People.

Fuller in his *Church-History* mentions, that in the year 1619, It was complained of that the *Grantees* of *Papists* forfeitures generally favoured them by *Compositions* for light Sums. But the famous *Book* of *The Right and Jurisdiction of the Prelate and the Prince*, printed A. D. 1617. saith in the *Epistle Dedicatory* to the *English Catholics*, You have this long time suffered as violent and furious a *Persecution* as ever the *Jews* did under an *Antiochus*, or the *Primitive Christians* did under a *Nero*, *Domitian*, *Dioclesian*, *Maximin* or *Julian*, and yet you see no end of this fury, &c.

I would ask any *Loyal Roman Catholick*, if a *Clergy* that could console such *Lachrymists* and preach *Loyalty* to them, was not then necessary? And I am sure he will say it was; for that the *Doctrine* preached by the *Author* of that *Book* appeareth thus in the *Contents* of the *Chapters* after the end of that *Epistle*, viz. *Regal Power* proceeds immediately from the *Peoples Election* and *Donation*, &c. By the *Spiritual Power* which *Christ* gave the *Pope* in his *Predecessor St. Peter*, he may dispose of *Temporal Things*, and even of *Kingdoms* for the good of the *Church*; and the many *Republican* and *Seditious Assertions* in that *Book* are such, that any *Asserters* thereof would in the judgment of our *Loyal Populace*, be thought to merit what the *Jews* or *Primitive Christians* suffered as aforesaid. And that no man dares now partly for fear of the *Popular displeasure* and being thought absurd, say, that the *English Monarchy* is otherwise than from *God* and not from *Mens Election*, just as for fear of the *People*, the chief *Priests* and *Scribes* and *Elders* durst not say that the *baptism* of *John* was not from *Heaven* but of men, is most eminently to be attributed to the late *Loyal Sermons* made expressly of *Loyalty* by the *Divines* of the *Church of England*.

But that I may draw toward an end of this long *INTRODUCTION* or *PREFACE* (wherein yet if I have happened to acquaint any *Reader* with any valuable *point* of *Truth*, it will be the same thing to him as the payment of a *Bill of Exchange* in the *Portico* or in the *House*) I am necessarily to say that by the inadvertence of an *Amanuensis* employed in writing somewhat of this *Discourse* for the *Press*, there happened to be several mistakes of words and names; and one of them I shall mention here, and not trust to its being regarded among the *Errata*, viz. that whereas 'tis said in p. 39, that *Creswel* a *Jesuite* writ for *King James* his *Succession* when *Parsons* writ against it, it should have been said that *Chricton* a *Jesuite* then did so: and so the latter part of the Volume of

The Preface to the Reader.

the *Mystery of Jesuitism* relates it: and any indifferent man would think that *Chrillon* writ not in earnest, and that his *Book* appeared not on the Stage of the World, but only to go off it, since so necessary a *Counter-poyson* to *Parsons* his *Book*, could never yet be heard of in any Library that I have seen.

Some little Omissions and Errors about Letters and Pointing, easily appearing by their grossness, are not put into the *Errata*: and some the Reader will find amended with the *Pen*.

Moreover I am to Apologize for the carelessness of the *Style*, and to acquaint the Reader, that the *Rule* of any ones writing in any thing that is called a *Letter*, being the way of the same Persons *speaking*, I do thereby justify the freedom I have taken in not polishing any *Notions*, or delivering them out with the care employed on curious *Pictures* (and that require twice or thrice *sitting*) and in using that *colouring* of words, and such bold careless *Touches* as are to be used in the *finishing up* any piece at once, and which the Nature of Discourse necessarily implies, and in sometimes using *significant* expressions in this or the other Language for any thing, as I do in my common Conversation with those who understand those Languages; and by the same Rule I have exempted my self from the trouble of that nice weighing of things as well as of words, that a Professed *History* or *Discourse*, otherwise then in the way of a *Letter*, would have required, and the same excuse may serve for the *Style* of this *Preface*.

If the *Date* of this *Discourse* had not at the writing of the first Sheet been there inserted, a later one had been assigned it: but I thought it not *tantum* on the occasion thereof to have that Sheet reprinted.

I hope to be able in my *Review* to gratifie the Readers Curiosity with somewhat more of satisfaction as to the *Monastic Revenue*, and which in p. 92 I mentioned as not adequate to the maintenance of 50000 *Regulars* by my not considering how plentifully it was supported by *Oblations* of various kinds, and other ways not necessary to be here enumerated.

In p. 1. I say, I think it was St. *Austin* who said, *Credo quia impossibile est*: and have since thought it was *Tertullian*. I care not who said it, as long as I did not.

I have in p. 13 mentioned the *Order* of *Jesuites* as invented by the Pope in the year 1540, wherein I had respect to the time of its *Confirmation* from the *Papacy* and not of its founding by *Ignatius*.

There are other omissions and faults in the *Prefs* that the Reader is referred to the *Errata* for, without his consulting which, I am not accountable for them.

I am farther to say that there is one thing in this *Preface* that I need not apologize for, and wherein I have done an Act of common Justice, namely, in Celebrating the Heroical Vertue and Morality of this present Pope, that were signalized as I have mentioned.

Almighty God can make the *Chair* of *Pestilence* convey health to the World, and can preserve any Person in it from its mortal Contagion.

But the truth is, I was the more concerned to do the Pope the right I have done, because I observed, that after that *Credit* of the *Popish Plot* began to die, that depended on the Credit of the *Witnesses*, several Persons attempted to put new *Life* into it, by their renewed impotent *Calumnies* cast on the Character of the Pope, and as appeared by a bound 8^o printed in the year 1683, called *The Devils Patriarch, or a full and impartial Account of the Notorious Life of this present Pope of Rome, Innocent the 11th, &c. Written by an EMINENT Pen to revive the remembrance of the almost*

a most forgotten *PLOI* against the life of his Sacred Majesty and the Protestant Religion.

What *AUTHOR* was meant by that *EMINENT PEN*, I know not in the least. The *Preface* to the *Reader* concludes with the Letters of *T. O.* The vain *Author* having throughout his *Book* ridiculously accused the *Pope* of immorality and scandal, and of being a friend to Indulgences, and of favouring the loose Principles of the *Jesuites*, and of contriving the *Popish Plot* and carrying it on in concert with the *Jesuites*, concludes by saying in p. 133, *This Pope had great hopes of re-entry into England by his hopeful Plot: hereupon Cottington's bones were brought to be buried here, &c.*

It was high time then for People to be weary of the *Martyrocracy* when the *Plot* came to be statuminated by *Cottington's bones*, and the pretended immorality of so great an *Example* of severe Vertue as this *Pope*, and when the belief of the *Testimony* against some men as *Popish Russians* was endeavoured to be supported by the Childish Artifice of making a *Russian* of the *Pope* himself.

But indeed long before the *Edition* of that trifling *Book*, many things had occurred so far to shake the testimony of the *Witnesses*, as that it grew generally the *Concordant* voice of the *Populace*, that on a supposal of several of the same Persons being again alive to be tryed on the *Testimony* of the same *Witnesses* before the same Judges, it would not have prejudiced a hair of the heads that were destroyed by it, and particularly in the unfortunate *Lord Stafford's Case*.

I have in two or three places of this *Discourse*, speaking of the *Papal Hierarchy*, called it *Holy Church*, its old known term, and by which I meant no reflection of scorn: nor would I laugh at any *Principle* of Religion found among any *Heterodox* Religionaries that the dying groans of the holy *Jesus* purchased them a liberty to profess.

But 'tis no *Raillery* to say, that the Artifices of any dis-loyal *Popish* and *Protestant* Recusants, that have so long made *Templum Domini*, usurp on the *Lord* of the *Temple* and his *Vice Gerents*, that is, *Kings* and *Princes*, will support no Church: and that as it hath been observed of some *Free Stones*, that when they are laid in a Building in that proper posture which they had naturally in their *Quarries*, they grow very hard and durable (and if that be changed, they moulder away in a short time) a long duration may likewise be predicted to the *Arts* and *Principles* of reason applied to support a Church as they lay in the *Quarry* of *Nature*, and where the *God* of *Nature* laid them for the support of *Princes* and their *People*, and *è contrà*. In fine, therefore since the *Principles* of the Church of *England* are thus laid in it as they were in that *Quarry*, none need fear that they will be defaced by time, or that a lawful Prince of any Religion here will accost it otherwise than with those words of the *Royal Psalmist*, viz. *Peace be within thy Walls, and Prosperity within thy Palaces.*

AN
INDEX

Of some of the

Principal Matters

Contained in the following

DISCOURSE

IN

A LETTER

TO THE

Earl of ANGLESY.

HIS Lordship is vindicated from mis-reports of being a Papist, and an account given of his Birth and Education, and time spent in the University and Inns of Court, and afterward in his Travels abroad, Page 1, 2, 3.

An account of his first eminent public employment as Governor of Ulster, by Authority under the Great Seal of England, p. 4.

An account of his successful Negotiation with the then Marquess of Ormond, Lord Lieutenant of Ireland, for the Surrender of Dublin, and all other Garrisons under his Command, into the Parliaments hands, p. 5.

An account of his being a Member of the House of Commons in England, and of the great Figure he afterward made in the King's Restoration, ib.

Reflections on the Popular Envy against the Power of a Premier Ministre, ib. and p. 6, 7, 8.

Remarks on the Saying applied in a Speech of one of the House of Commons, against the Earl of Strafford, viz. That Beasts of Prey are to have no Law, ib.

Reflections on the rigour and injustice of the House of Commons, in their Proceedings against the Earl of Strafford, p. 9.

The Usurpers declared, that tho they judged the Rebellion in Ireland

(a)

almost

THE INDEX.

- almost national, that it was not their intention to extirpate the whole Irish Nation, p. 10.*
- The Author owneth his having observed the Piety and Charity of several Papists, p. 11.*
- The Author supposeth that since all Religions have a Priesthood, that some Priests were allowed by the Usurpers, to the transplanted Irish, p. 13.*
- An account of the Privileges the Papists enjoyed in Ireland, before the beginning of the Rebellion there, and of the favour they enjoyed in England before the Gun-powder Treason, p. 14.*
- Observations on the Pope's Decree, March the 2d, 1679. Condemning some opinions of the Jesuites and other Casuists, in Pages 15, 41, 50, 51, 52, 53, 201.*
- The great goodness of the Earl of Anglesey's nature observed, and particularly his often running hazard to save those who were sinking in the favour of the Court, p. 16.*
- The Authors observation of the effects of the hot Statutes against Popery and Papists in Queen Elizabeth's and King James his time shortly ceasing, ib.*
- The Authors Judgment that a perfect hatred to Popery may consist with a perfect love to Papists, p. 19.*
- He expresseth his having no regret against any due relaxation of any Penal Laws against Popish Recusants, p. 20.*
- An account of the Earl of Anglesey, and others of the Long Parliament crushing the Jure Divinity of Presbytery in the Egg, p. 29, 30.*
- The out-rage of the Scots Presbyterian Government observed, p. 29*
- The People of England did hate and scorn its Toke, in the time of our late Civil Wars, ib.*
- Remarks concerning infamous Witnesses, and their credibility after Pardon of Perjury, or after Crimes, and Infamy incurred, p. 33, 34, 35. at large, and p. 204, 205.*
- The incredibility of the things sworn in an Affidavit, by such a Witness against his Lordship, p. 35, 36.*
- The Principle in Guymenius, p. 190. Ex tractatu de justitiâ & jure, censured, viz. licitum est Clerico vel Religioso calumniatorem, gravia crimina de se vel de suâ Religione spargere minantem, occidere, &c. p. 37.*
- Cardinal D' Ossats Letters very falsely and ridiculously cited by an English Priest of the Church of Rome, for relating that the Gun-powder Treason Plot was a sham of Cecils contrivance, p. 38.*
- Father Parsons one of the greatest Men the Jesuites Order hath produced, p. 40.*
- D' Ossat in his Letters observed to have given a more perfect Scheme of the whole design to hinder King James his Succession, then all other Writers have done, ib.*
- Observations on the Author of the Catholick Apology, with a reply, &c speaking of his not believing that Doleman's Book of the Succession, was writ by Father Parsons, and that Parsons at his death denied that he was the Author of it, and on Cardinal D' Ossat in his Letters averring, that Parsons was Reverend the Author of it, and that Parsons made application to him, in order to the defeating King James his Succession, unless he would turn Catholick, p. 41.*
- D' Ossat's observing that Parsons in that Book, doth often and grossly contradict himself, ib.*
- D' Ossat's commending our English Understandings, for so soon receiving King James, and so peaceably, after the death of Queen Elizabeth, ib.*
- The Author grants that Papists may be found parts of the State here, as they are by Sir William Temple in his Book observed to be in Holland, p. 44.*
- The vanity of some Papists designing to raise their Interest by Calumny and Shamm. ib.*

THE INDEX.

- The Pope's said Decree of the 2d. of March, accuseth the Jesuites and other Casuists, of making Calumny a Venial sin, p. 45.*
- The nature of a Venial sin explained, ib.*
- The Jesuites Moral Divinity patronizing Calumny, is likely to be fatal to their Order, p. 47. 49.*
- The Author's opinion that they can never recover the wounds given them by the publication of the les Provinciales, &c. ib. and that much less those given them by the Popes said Decree, p. 50, 51.*
- Observations on that Notion of Monsieur Descartes and Mr. Hobbs, That the faculties of the mind are equally dispensed, and on the natural effects of that Notion, p. 58.*
- The Author remarks some Shamms and Calumnies used by some Protestants, and their contending with Papists therein, p. 59.*
- An Antidote mentioned for Papists and Protestants, to carry about with them in this Pestilential time of Shamms, ib.*
- A vile Sham or Calumny used against Papists, as if they intended to burn the Town of Stafford, and other great Towns, is referred to in one of Janeway's printed Intelligences, p. 60.*
- Animadversions on Parsons his Book of the Succession, p. 60, 61.*
- 'Tis for the honour of the Roman Catholick Religion observed, that Harry the 4th of France, after he turned Papist, continued kind and just to his Protestant Subjects, notwithstanding the Popes endeavours to the contrary, p. 62.*
- The Authors grand Assertion, viz. That whatever alterations time can cause, yet (humanly speaking) while the English Nation remains entire, and defended from Foreign Conquest, the Protestant Religion can never be exterminated out of this Kingdom, p. 64.*
- Mr. Hooker's Prophecy of the hazard of Religion and the service of God in England, being in an ill State after the Year 1677, p. 65.*
- The defections of the ten Tribes from the line of David, punished by a Succession of 19 ill Kings, p. 66.*
- The words in Hosea, I gave thee a King in mine anger falsely made by Antimonarchical Scriblers to refer to Saul, ib.*
- Dr. Stillingfleet's Sermon cited about the uncertainty of what the fermentations among us may end in, ib.*
- Dr. Sprat's opinion cited, That whatever vicissitude shall happen about Religion in our time, will neither be to the advantage of Implicit Faith or Enthusiasm, p. 67.*
- Historical Observations relating to the Papacy from p. 67, to p. 77.*
- The Papal Power formerly pernicious to the external Polity and Grandeur of England, p. 77, 78.*
- Queen Elizabeth said by Townsend to have spent a Million of Money, in her Wars with Spain, and laid out 100000 l. to support the King of France, and 150000 l. in defence of the Low Country, and to have discharged a Debt of 4 Millions, She found the Crown indebted in, ib.*
- How by her Alliances She laid the Foundation of the vast ensuing Trade of England, whose overbalance brought in afterward so much Silver to be Coyn'd in the Tower of London, p. 78.*
- The Sums Coyn'd there from the 41st year of her Reign, to May 1657, ib.*
- England alone, till the Peace of Munster in the year 1648. enjoyed almost the whole Manufacture, and best part of the Trade of Europe, by virtue of her Alliances, ib.*
- The same Month of January, in the year 48. produced the signing of that Peace, and the Martyrdom of the best of Kings, and the fatal diminution of our Trade, ib.*
- Queen Elizabeth had what præmium of Taxes from Parliaments She pleased, ib.*

THE INDEX.

King James told the Parliament Anno 1620, that She had one year with another 100,000 l. in Subsidies, and that he had in all his time, but 4 Subsidies and 6 Fifteenths: and that his Parliament had not given him any thing for 8 or 9 years, ib.

In Harry the 3d's time, the Pope's Revenue in England was greater than the Kings: and in 3 years time the Pope extorted more Money from England, than was left remaining in it, ib.

In Edward the 3d's time, the Taxes paid to the Pope for Ecclesiastical Dignities, amounted to five times as much as the People payed to the King, p. 79.

By a Balance of Trade then in the Exchequer, it appeared that the Sum of the over-plus of the Exports above the Imports, amounted to 255214 l. 13 s. 8 d. ib.

Wolsey's Revenue generally held equal to Harry the 8th's, ib.

Why the Pope never sent Emissaries to Denmark and Sweden, and some other Northern Countries for Money, and why probably in no course of time that can happen, he will send any to England on that Errand, ib. and p. 80.

In the 4th year of Richard the 2d, the Clergy confessed they had a 3d part of the Revenue of the Kingdom, and therefore then consented to pay a 3d of the Taxes, ib.

Bishop Sanderson mentions the Monastick Revenue, to be half the Revenue of the Kingdom, ib.

The not providing for the augmentations of the poorer livings in England, observed to be a Scandal to the Reformation, p. 81.

Of 8000 and odd Parish Churches in Queen Elizabeth's time, but 600 were observed to afford a competent maintenance to a Minister, and four thousand five hundred Livings, then not worth above 10 l. a year in the Kings Books, ib.

During the late Usurpation the Improprate Tithes saved the other, ib.

A Million of Pounds Sterling commonly observed to accrue to the Popes per Annum, from Indulgencies, p. 87.

An account of the Compact between some of the most eminent Presbyterian Divines, and the long Parliament, by which the Parliament was obliged to settle on the Ministry all the Church Lands, and those Divines engaged to promote the Parliaments Cause, and of the result thereof, p. 88.

Observations on the Calculations of the Monastick Revenue, made in the year 1527, by Mr. Simon Fish, in his Book called, The supplication of Beggars, and which Calculations were much valued by Harry the 8th, p. 90, 91.

Not only none of our Monkish Historians, but even of our polished and ingenious ones made any Estimates of the Numbers of the People in the times they writ of, ib.

A Calculation of the Number of Religious Persons, or Regulars in England, at the time of the Dissolution of Monasteries, p. 92.

A Calculation of the Numbers of Seculars as well as Regulars, that then lived in Celebacy, ib.

The Author's Calculation of the Number of the Levites, and of their Quota of the Profits of the Land, p. 93.

A Calculation of the Ebb of the Coynage of England, from May 1657 to November 1675, p. 102.

A particular Account of Cromwel the Usurpers depressing the Trade of the European World, p. 103.

The Kings of Spain impose Pensions on Ecclesiastical Preferments to the 4th part of the value, p. 104.

The proportion of Papists, and Non-Papists, by the Bishops Survey in the Year 1676, is 150 Non-Papists for one Papist, ib.

THE INDEX.

The People in the Province of Holland, reckoned to be 2 Millions 4 hundred thousand, ib.

The People in Flanders in the Year 1622, reckoned to be 700,000, p. 105.

Amsterdam in the Year 1650, reckoned to have in it 300000 Souls, ib.

An Account of what the Inhabitants of Holland in the Year 1664, did (over and above the Customs and other Demesnes of the Earls and States of Holland) pay toward the publick Charge, namely, to the States of Holland, to the Admiralty of the Maze, to the Admiralty of Amsterdam, to the Admiralty of the Northern Quarter, ib.

The number of the Inhabitants of Venice in the year 1555, ib.

An Account of the Political Energy of the Reformation in England, p. 107.

The Revenue of the Kingdom of England quintuple, in the year 1660, to what it was at the time of the Reformation, p. 103.

A Calculation of the Revenue of the Church, holding in the year 1660, the same proportion of encrease, ib.

The Customs of England when Queen Elizabeth came to the Crown, made but 36000 l. per Annum: and were since 1660 farmed at 400000 l. per Annum, and have since then made about double that Sum, p. 109.

The yearly Revenue of the whole Kingdom of England computed, ib.

Queen Elizabeth wisely provided for the enlargement of the Trade, and Customs of England, ib.

The Numbers of the People of Spain, p. 111.

The knowledge of the Numbers of People in a Kingdom is the Substratum of all Political measures, ib.

An Animadversion on the Author of

la Politique Françoise, ib.

There were about 600,000 Souls in Paris, shortly after the year 1660, p. 113.

An Animadversion on the Calculation of Malynes in his Lex mercatoria, ib.

Animadversions on the Calculations of Campanella, as to the numbers of the People of France, p. 114.

Lord Chief Justice Hales his Observations of the gradual encrease of the People in Gloucestershire, corroborated by the Author, p. 115.

The Author believes the Total of the People of England, to be very much greater, than any cautious Calculators have made it, p. 116.

Observations on the Numbers of the People of England, resulting from the returns on the late Pole-Bills, and the Bishops Survey, ib. and p. 117, 118, 119.

An account of a Tax of Poll-Money in Holland, in the year 1622, p. 117.

Some illegal Proceedings in Queen Mary's Reign remarked, p. 119, 120.

The Authors opinion that any Roman Catholick Prince that may come to inherit the Crown, will use the Politics of Queen Mary, as a Sea mark to avoid, and Queen Elizabeth's as a Land-mark to go by, p. 122.

Eight hundred of the empty new built Houses of London, have been filled with French Protestants, ib.

A high Character given of Edward the 3d, a sharp Persecutor of the excesses of the Power of the Pope and his Clergy, and who saved the being of the Kingdoms Trade, and Manufacture, and patronized Wickliffe, and the Authors opinion that any lawful Prince of the Roman Catholick Religion, that can come here, will uphold the falling Trade of the Kingdom as he did, ib.

THE INDEX.

- Occasional Remarks on the Numbers of the People in the old Roman Empire, p. 124.*
- The vanity of the fear of any ones erecting another Universal Monarchy, p. 125.*
- Campanellas Courting Spain, and afterwards France with that Monarchy, remarked, ib.*
- Observations on the fate of the Spanish Armada in 88, and of the Numbers of its Ships and Seamen, and likewise of the Numbers of the Ships and Seamen then in Queen Elizabeth's Fleet, p. 127.*
- She claimed no Empire of the Ocean, either before 88 or afterward, ib.*
- The Shipping and Numbers of our Seamen in 12 years after 88, were decayed about a 3d part, p. 128.*
- An account of the French Monarch's Receipts and Expences in the year 1673, ib.*
- The Authors conjecture of the result of the Fermentation about the Regalia in France, p. 129.*
- The things predicted in the Apocalyp, are with reference to exactness of number and measure, p. 130.*
- The Origine of the name Fanatick, ib.*
- The Author asserts this as a Fundamental Principle for the quiet of the World, as well as of a mans own Conscience, viz. That no man is warranted by any intention of advancing Religion, to invade the right of the Sovereign Power that is inherent in Princes by the Municipal Laws of their Countries. ib.*
- The Author gives his Judgment of the set time, (humanly speaking) for the extermination of Presbytery here being come, p. 133.*
- Of the illegality of the Scotch Covenant, p. 134.*
- The Assembly of Divines here would have been Arbitrary in Excommunication, ib.*
- The first Paragraph of the Covenant introduced Implicit Faith, p. 135.*
- The Author of the Book called, The true English Interest, computes that 300,000 were slain in the late Civil War in England, p. 138.*
- Observations on his Majesty's and Royal Brothers Exile into Popish Countries, caused by our Presbyterians, and even out of Holland into France, and out of France into Spain, p. 138, 139.*
- Presbyterians are obliged of all men to speak softly of the danger of Popery, p. 139.*
- An account of the present Numbers of the Papists in England, and some Historical Glances about the gradual decrease thereof in this Realm, in several Conjunctions since the Reformation, from p. 139, to p. 154.*
- The late Earl of Clarendon occasionally mentioned with honour, p. 147.*
- The Authors judgment that the growth of Popery, and of the fears thereof will abate under any Conjunction of time here that can come, from p. 153 to p. 157.*
- In December 1672, the Protestants in Paris were but as one to 65, p. 157.*
- Observations on the late Conversions in France, ib.*
- The Author explains what he means by the expression of Religion-Trade, ib.*
- The Author's Assertion that the World can never be quiet and orderly, till its State be such that men can neither get nor lose by Religion, from p. 158 to 160.*
- Animadversions on a Pamphlet aiming at the overthrow of the Clerical Revenue of England, and called, The great Question to be considered, &c. p. 160, 161.*
- The Author asserts the present Clerical Revenue of England to be reasonable and necessary, and very far from excess in its proportion; from p. 161 to p. 167.*
- The Author's reason why he doth usually in this Discourse call Popery an Hypothesis or Supposition, and*

not

THE INDEX.

not it, or our former Presbytery, in gross by the name of Religion, from p. 168 to p. 170, and after.

The Author's Assertion, That Papists as well as others of Mankind, have a Right and Title to the free and undisturbed worshipping of God, and the Confession of the Principles of Religion, purchased for them by the blood of Christ, p. 170.

The Author distinguisheth Principles of Papists, Socinians, and Presbyterians into Religious and Non-religious; and shews to what Principles the name of Religion is absurdly applied, from p. 168 to p. 172.

The Author observes it in many Papists, who have deserted the Church of England, that the rational Religion they were first educated in, hath had the allurements of the Natale solum, that they could never wholly over-power, p. 174.

An Observation of three of the Nobility that went off from the Church of England to that of Rome: but receded not from the Candour of their tempers, and that neither of them perverted their Wives or Children to Popery, and that the eldest Sons of them all are eminent Sons of the Church of England, and make great Figures in the State, ib.

Turen after his being a Papist, as kind to his Protestant Friends as formerly, ib.

The Author shews, that none need be afraid of any Roman Catholick Prince who was formerly a Protestant, from p. 174 to 177.

Non-Conformist Divines not scrupling the lawfulness of what the Conformists do: but were ashamed to confess their error, p. 175.

'Tis a shame for such Divines to censure the belief of Religious Notions in a high born Prince, p. 176.

By the falsity of such Divines Principles, as many hundreds of thou-

sands were here slain, as were bare hundreds put to death, in the inglorious Reign of Queen Mary, ib.

A Confutation of one Argument brought for London's being designedly fired by many Popish Persons, p. 181.

The Author's Judgment that the fermentation that hath been in the Kingdom, will not prove destructive but perfective to it, p. 183.

The Author's Judgment that all Policy Civil or Ecclesiastical, will be accounted but Pedantry, that Postpones the Consideration of the building Capital Ships, and their Maintenance and Equipage, p. 184.

That Religion-Traders are really of the Trade of Beggars, p. 184.

More concerning the breaking of the Trade of Beggars, and of Court-Beggars, ib.

The reason why our English Ministers of State, have not writ their Memoires, as those of France have done, p. 185.

The Author of the present State of England, observed to say in Part 2d, that the yearly Charge of his Majesty's Navy in times of Peace, is so well regulated, that it scarce amounts to 70,000 l. per Annum, p. 185.

What the Lord Keeper Bridgman in his Speech to the Parliament in the year 1670 saith, that from the year 1660, to the late Dutch War the ordinary Charge of the Fleet communibus annis, came to 500,000 l. per Annum, and that it cannot be supported with less ib.

The Author believes that the ordinary Naval Charge hath in no years since, amounted to less than 200,000 l. per Annum, besides the vast Charge in building new Ships and rebuilding old, and the Charge of Summer and Winter Guards, and of Convoys and Ships against Argier, p. 186.

Since

THE INDEX.

Since the year 1669, the King hath enriched the Kingdom with a more valuable Fleet than it had before, ib.

The manifold payments to the Usurpers amounted to one entire Subsidy in each Week of the Year, and what the Kingdom paid before, exceeded not usually one Subsidy, or 15th in two or three years space, ib.

The nature of our old gentle way of Assessments called Subsidies, ib.

Instead of the demanding of 5 Members from the Parliament, above 400 were forcibly secluded from it, ib.

Taxes afterward levied in the name of a House of Commons, when there were no Knights of the Shire for 26 English and 11 Welch Counties, and but one Knight of the Shire in other 9 Counties, and only the full number of Knights of the Shire for 4 Counties, and when York, Westminster, Bristol, Canterbury, Chester, Exeter, Oxford, Lincoln, Worcester, Chichester, Carlisle, Rochester, Wells, Coventry had no Citizens, and London 1 instead of 4, and Gloucester and Salisbury alone had there full number: and when by a parcel of about 89 permitted to sit, the whole Clergy as well as Layety of England was taxed, ib. and p. 187.

The Usurper by his own Authority only, laid a Tax of 600,000 l. per Month on the Nation, p. 187.

He afterward had a giving Parliament that Calculating the Charge of the Nation, found 400,000 l. per Annum, necessary for the Navy and Ports, and settled on him in all 1,300,000 l. per Annum, ib.

Their helping him into the Power to break the Balance of Christendom as he did, hath entailed on the Nation for ever, a necessity of labouring hard to support the publick Government, ib.

A Descant on the saying of Dulce bellum inexpertis, from p. 187 to p. 189.

A Calculation of the number of the People now living, who are inexperts: i. e. who are now alive, that were born since the year, in which our Wars ended, or were then Children, viz. of such years as not to have experienced or been sensible of the miseries and inconvenience of the War: and a Calculation of what numbers of those who lived in 1641, are now dead: and what proportion of those now living, who lived in that time of the War, did gain by the War: and of the number of such inexperts in Ireland and Scotland: p. 188, 189, 190.

The Usurpers seized into their hands about a Moiety of the Revenue of the Kingdom, p. 190.

'Tis observed that presently after the discovery of the Gun-Powder Treason, the Parliament gave King James 3 Subsidies, 7 Fiftiteenths and 10ths of the Layety, and 4 Subsidies of the Clergy: and what they amounted to. The Author shews how just and natural it was for the Parliament believing that Plot so to do, p. 191, 194.

An intimation of the reason of so much hatred in France against the Earl of Danby, p. 192.

The Authors belief that the future Warlike State of Christendom, will necessarily prompt all Patriots, instead of studying to make men unwilling to promote publick supplies, to bend their Brains in the way of Calculation, to shew what the Kingdom is able to contribute to its defence, and how to do it with equality, ib.

The judgment of Sir W. P. that if a Million were to be raised in England, what quota of the same should be raised on Land, Cattle, personal Estate, housing, ib.

The Judgment of the same Author cited for the second Conclusion in his

THE INDEX.

- his Political Arithmetick, viz. that some kind of Taxes and public Levies may rather encrease than diminish the Commonwealth, p. 193.
- An account of the exact Roman Prudence in the equality of Taxes under the Ministry of the Censors appearing from the Civil Law, ib.
- The great care and exactness of the leading men in Queen Elizabeth's Parliaments to Calculate the Levies, and to render the same equal, ib.
- The disproportionate Taxes laid by the Usurpers on the Associated Counties and others, have caused the weight thereby to aggrieve many of those places ever since, ib.
- Lilly the Astrologer complaining, that whereas he was Taxed to pay about 20 s. to the Ship money, he was in the year 1651 rated to pay about 20 l. annually to the Souldier, ib.
- The Author's belief and reason about Republican Models necessarily growing more and more out of fashion, p. 194, 195.
- Observations on the great Clause of *proponentibus legatis* in the Council of Trent, p. 195.
- The preserving of orderly proportion in the Revenue of the Prince and the Priest, and with respect to number weight and measure under the times of the Gospel, agreed on by Divines to be referred to by Ezekiel in Vision from the 40th Chapter to the end of his Prophecy, p. 196.
- How Augustus his great Tax or Pole helped to confirm the Christian Religion, p. 197.
- The Author's opinion that future, legal, and equal Taxes will have the effect of strengthening the Protestant Religion, ib.
- Observed that the Parliament may be justly said to be indebted to the Crown, for that great part of its Patrimony Queen Elizabeth alienated to secure the Protestant Religion, ib.
- The fears of Popery further Censured, p. 198.
- Ridly and Latimer Prophefied at the Stake, that Protestancy would never be extinguished in England, p. 198.
- Roger Holland prophefied at the Stake at Smithfield, that he should be the last that should there suffer Martyrdom, ib.
- Observations on the Natural Prophefying of dying men and its effects, p. 199.
- The Vanity of Mens troubling the World by Suppositions, ib. and p. 200.
- 'Tis a degree of madness to trouble it by putting wanton impossible cases, p. 200.
- The Author without any thing of the Fire of Prophecy, and only by the light of reason presageth, that the excessive fear of Popery as well as its danger will here be exterminated, ib.
- The justice of the Claim of King Charles the first, to the Title of Martyr asserted, p. 201, 202, 203.
- The Author judgeth that some vile Nominal Protestants by the publication of many Seditious Pamphlets, have given the Government a just Alarm of their designs against it, p. 203.
- Of Papists and Protestants being Antagonists in Shamms, p. 204.
- Mr. Nye cited for representing the Dissenters, acted by the Jesuites in thinking it unlawful to hear the Sermons of the Divines of the Church of England, p. 204.
- False Witnesses among the Jews allowed against false Prophets, p. 205.
- The Earl of Anglesey's Courage and Justice asserted in the professing in the House of Lords his disbelief of such an Irish Plot, as was sworn by the Witnesses, tho the belief of the reality of such a Plot

THE INDEX.

- Plot had obtained the Vote of every one else in both Houses, ib.*
- Above 2000 Irish Papists in the Baronry of Enishoan demean'd themselves civilly to the English during the whole Course of the Rebellion, ib.*
- Several eminent ingenious Papists in England, and Foreign parts celebrated for their avowed Candour to Protestants, p. 206, 207, 208, &c.*
- D' Ossat's acquainting the Pope, That if his Holyness were King of France, he would shew the same kindness to the Huguenots that Harry the 4th did, p. 208.*
- Cromwel being necessitated to keep the Interest of the Kingdom divided, was likewise necessitated to keep up all Religions according to the Politicks of Julian, p. 211.*
- Of the Papists calling King James Julian, ib.*
- The Author inveigheth against the Calumny of any Protestants who call any one Apostate, for the alteration of his Judgment in some controvertible points of Faith between Papists and Protestants, ib.*
- The Author's Reason why 'tis foolish to fear that any Rightful Prince of the Roman Catholick perswasion that can come here, will follow the Politicks of Julian, ib.*
- 'Tis shewn that any Protestant Usurper here must act à la Julian, ib.*
- The Usurper Cromwel shewn to be a Fautor of Priests and Jesuites by the Attestations of Mr. Prynne and the Lord Hollis, p. 212, 213.*
- The danger of Popery that would have ensued Lambert's Usurpation, p. 213, 214.*
- How true soever any Usurpers Religion is, he must be false to the Interest of the Kingdom, p. 214.*
- Observed that the Kings long Parliament by the Act for the Test, did enjoin the Oaths of Allegiance and Supremacy to be taken, ib.*
- Those Oaths lay on the Takers an Obligation to the Kings Heirs and Successors without any distinction of the Religion true or pretended of such Heirs and Successors, ib.*
- Mr. Prynne's Book called Concordia discors printed Anno 1659, to prove the Obligation by those Oaths to the King's Heirs and Successors, commended, ib.*
- The Author mentions the Reasons that induced him to write Casuistically concerning such Obligation: and promiseth to send that his Writing to his Lordship, ib.*
- The Author judgeth that he ought not to be severe to any Papist before he hath a Moral certainty of such Papists having imbibed any of the Principles imputable to Popery that is unmoral or inhumane, ib.*
- The Author observes that few or no Writers of the Church of Rome have lately thought fit by their Pens, to assert the Inheritable Right of Princes, without respect to any Religionary Tenets they may hold, p. 215.*
- The Author thinks that for a Protestant at this time to write for the devesting any Roman Catholick Prince of his Property and Right of Succession, when few or no Writers of the Church of Rome, either do or dare for fear of offending the Pope, employ their Pens for the preservation of such his property and right without respect to to any Religionary Tenets he may hold, is like drawing against a naked man, ib.*
- D' Ossat affirms, That the Pope and the whole Court of Rome hold it lawful to deprive a Prince of any Country to preserve it from Heresie, ib.*
- An Animadversion on a late Pamphlet concerning the Succession, ib.*

THE INDEX.

Reflections on the House of Commons Proceedings in the Exclusion Bill, ib. and p. 216.

The Author gives an explanatory account of the tempus acceptabile, he in p. 25 mentions, p. 216.

His Majesty's constant contending for the Protestant Faith celebrated, and likewise his Justice in preserving the property of the Succession in the Legal Course by all his Messages to the Parliament, p. 217.

The unhappy State of that Prince who shall for fear of the Populace, do any Act of the Justice whereof he doubts, and much more of the injustice whereof he is fully convinced, p. 217. at large.

The Caution to the Angel of the Church of Philadelphia applied to such a Prince, viz. Hold fast that which thou hast, that no man take away thy Crown, ib. at large.

'Tis not only Popery but Atheism in Masquerade to do an unjust Act to support Religion, p. 218.

King James disavowed the Act of his Son-in-Laws accepting the Title of King of Bohemia, ib.

An Observation that in the Common-Prayer in King Charles the 1st's time, relating to the Royal Family, the Prayer runneth for Frederick Prince Palatine Elector of the Rhine, and the Lady Elizabeth his Wife, ib.

The Author observes that in the Assembly's Directory the Lady Elizabeth is styled Queen of Bohemia, p. 219.

An Account of the Governments avowed sence in King James's time, that any of the Princes of England ought not by becoming Roman Catholick to be prejudiced in their Right of Succession to the Crown, ib.

The same sence of the Government in the time of King Charles the 1st, ib.

The Parliament during the Civil

War projected not any prejudice to the right of Succession, on the account of any Religionary Tenets, p. 220.

Mention of somewhat more to confirm the claim of King Charles the 1st, to the Title of Martyr, beside his Adhesion to Episcopacy and its Revenue, ib.

An account of the Protestation of the Nonconforming Ministers in the year 1605. relating to the King's Supremacy, wherein they assert the Royal Authority inseparably fixt to the true Line, whatever Religion any Prince thereof may profess, p. 221.

The Author perstringeth the Protestant would be's and new Statists of the Age that would for Religionary Tenets barr any of the Royal Line from the Crown, ib. and p. 222.

The Protestants in France now about 2 Millions, p. 222.

Their Loyal Demeanor to Harry the 4th, after he became a Papist, ib.

His condition after he became one, ib.

An account of the Apology for John Chastel the Scholar of the Jesuites assassinating him: and of the Positions in that Apology, ib.

The Apology affirms, That Excommunication for Heresie doth quite take away any Regal Right: and that Henry of Bourbon cannot be called a King by reason of his Conversion, p. 223.

An account of the Gun-powder Treason out of Thuanus, and the Tenets that the Traitors had imbibed from their Confessors, and particularly, That Heretical Princes by being reconciled to the Church of Rome recover not a Title to their Crown: and that by such reconciliation they only save their Souls: and that Heresie barrs the Hereticks Line from the Succession, &c. p. 224.

Observations on the Millenary Petition in the beginning of King James's Reign, ib.

THE INDEX.

Observations on the Papists Petition to him about the same time, p. 225.

Dr. Burnet's History of the Reformation commended, p. 226.

The reason why the Author would have more severity shewn to a Seditious Protestant than a Seditious Papist, p. 231.

Mr. Fox referred to about his Question, Whether the Turk or Pope be the greater Anti-Christ, p. 232.

An account of the Popes being Pensioners to the Turk, p. 234.

The Author observes in the famous Hosius of the Church of Rome, a viler Blasphemy than any he remembers in the Alcoran, p. 235.

Observations on the Loyalty of many Papists in France to Harry the 4th, when he came to inherit the Crown, and remained a Protestant, and under the Papal Excommunication, p. 236.

Harry the 4th. an expected Protestant Successor, was Premier Ministre to Harry the 3d a Papist, ib.

An Argumentative Speech of an Arch-Bishop of France to prove, That Harry the 4th ought not for his Religion to be debarred from the Crown, ib.

Maimbourg reflects on Calvin for his instigating the Magistrates of Geneva to burn Servetus, ib. and p. 237.

Dr. Peter du Moulin cited for saying, That in the time of the late Usurpation, the Jesuites were the principal directors of the Consciences of the English Papists, ib.

A Book published Anno 1662 observes, That of the Papists in England, 7 parts of 10 were Gentlemen and People of great Quality, ib.

The Author believes that the more ingenious and modest sort of Jesuites, will by Natural Instinct be more and more ashamed of the

turpitude of the former Principles of the Jesuites: and particularly of the 13th, 14th, 15th. 30th, 32d. contained in the Popes Decree before mentioned, p. 238.

The Author judgeth that all bloody and rebellious Principles owned by any who call themselves Protestants must naturally by shame and fear decay, ib.

Mr. Cranford a Presbyterian Divine cited for saying in a Printed Sermon at St. Pauls, in the Year 1645, That in 80 years there did not arise among us so many Blasphemous Heresies under Episcopacy, as have risen in these few years since we have been without a Government, and that above 160 Errors have been here since broached, and many of them damnable, ib. and p. 241.

A Speech in a late Parliament referred to for observing that according to the best Calculation, the Dissenters could not in the last Elections for Knights of the Shire bring in above 1 in 20 into the Field, ib.

The present Gentlemanly temper appearing in the People of England observed, as to the not having resentments against any men or their Converse by reason of their asserting Controverted Points capable of the name of Religion, p. 241.

The great Controversy about Easter now slighted, ib.

The Terms of Omo-ousios and Omoi-ousios will make no more fermentation in the World, p. 242.

The word Heresy now generally here reduced to its quiet Primitive Signification of an opinion without reference to truth or falsehood, ib.

Our Courts Christian do no more prosecute men for being Hereticks, than for being Usurers, ib.

There

THE INDEX.

There is now a more valuable libera theologia in England, then was under the Usurpation, p. 243.

The Obligation our Land hath received from the Royal Society mentioned, ib.

The knowledge of Anatomy enriched within this last Century, a 3d part, ib.

There were in the Year 1599 reckoned in Christendom, 2,25044 Monasteries, ib.

By Herods Infanticidium a Million and 44 Thousand slain, in the account of Volzcius, p. 244.

In 45 years the Spaniards in America put to death 20 Millions of Indians, ib.

By the growing Populousness of Mankind we must naturally hear more and more of Wars and rumours of Wars, p. 245.

In the beginning of the Reign of the Royal Martyr, England not afraid to contend with both France and Spain, ib.

2,50000 l. per Annum Calculated to have been formerly at a Medium for 76 years gained to England by the Balance of its whole Trade, p. 246.

The Author en passant Calculates that England hath for late years gained double that Summ by the fashion of Crape, ib.

Ten times as much spent on the Law or Physick here as on the Clergy, p. 247.

By the Calculations of Cardinal Pool there were more Colleges and Hospitals in England then in France, which (he said) exceeded England by two 3ds in the numbers of People, as in Lands, p. 248.

The Author observes that in the Code Louïs published in the Year 1667, the Method enjoined for the registering the Christenings and Burials in each Parish in France, is better contrived than that used in London, ib.

'Tis supposed that the publishing the

Observations on the Bills of Mortality about three years before in London, might occasion the aforesaid exact registering of the Christenings and Burials in France, and moreover the registry of the Marriages by the Code Louïs enjoined, p. 249.

The Registering of the Births and Burials is as old as the ancient times of the Romans, and introduced among them by Servius Tullius, ib.

The prudence of the Code Louïs remarked in the numbring of the Regulars and Seculars there enjoined, ib.

Sometime before the year 1588, the number of men in Spain being taken by secret Survey, there were returned a 11 hundred and 25 thousand and 300 and 90 men, ib.

A Computation out of Thuanus of the Expences and Receipts of Lewis the 13th for the Year 1614, ib.

The Expences and Receipts of that Crown were more than quadrupled in the year 1674. p. 250.

A Calculation of about a 3d part of the Current Coyn of England yearly carried into France, ib.

A Descant on the saying so much in vogue, viz. Res nolunt malè administrari, and an account of its Original, ib.

The Author supposeth that a more important Linen Manufacture will here happen from the many French Protestants here lately planted, than was the Woollen one here introduced by the Dutch whom Duke Alva's Persecution brought hither, p. 251.

Remarks about the general sowing of Hemp, and Flax here, and about the designed settlement of the same proving Abortive in several Parliaments, ib.

The French King in the last War did forbid the Importation of Sail-Cloath to England, ib.

THE INDEX.

A presage of the future happy State of England and the Authors Idea thereof at large, ib. and p. 252.

An account of the Rough Hemp and Flax and Sail-cloth and all other Manufactures of Hemp and Flax yearly brought into England, and from what Countries, deduced out of the Custom-house Books, p. 254.

All the Hemp and Flax sown in England, is observed to be bought up by the years end, p. 257.

Almost as much Hemp and Flax yearly brought into Amsterdam, as into the whole Kingdom of England, ib.

The Authors judgment of the effects of the necessity that will drive us on to the Linen Manufacture, ib.

An Account of the fine Linen lately made by the French Protestants at Ipswich: and of the Flax by them sown, ib.

The Author's Censure of the excessive Complaints of the danger of Popery, ib.

His belief that the future State of England will make men ashamed of their past fears of Popery, ib.

The Vote of the House of Commons for the recalling the Declaration of Indulgence carried by the Party of the Nonconformists, p. 258.

Most of the Papists of England in the Year 1610, computed to be under the guidance of the Jesuites, p. 260.

Many Popish Writers have inveighed against Gratian the Compiler of the Decrets of the Canon Law, ib.

That Law never in gross received in England, ib.

Binds not English Papists in the Court of Conscience, ib.

A Tenet ridiculously and falsely in the Canon Law founded on Cyprian, ib.

Gratian's founding it on Cyprian gives it only the weight it could have in Cyprian's Works, p. 261.

Pere Veron's Book of the Rule of Catholick Faith, cited for Gratian's Decrees, and the gloss claiming nothing of Faith, and Bellarmine's acknowledging errors therein, ib.

One definition in the Canon Law, and gloss held by all Papists ridiculous, ib.

The Author thinks he has said as much to throw off the Obligation on any Papists to obey the Pope's Canon Law as they would wish said, ib.

He thinks himself morally obliged in any Theological Enquiry to say all that the matter will fairly bear on both sides, ib.

Heylin and Maimbourg cited about the firing of Heretical Villages in France, p. 262.

Parsons and Bellarmine cited by Donne for rendring some things obligatory that are said by Gratian, p. 263.

The Author expects that the growing populousness of England will have the effect of rendring men less censorious of any supposed Political Errors in the Ministers of our Princes, p. 265.

Mr. Fox cited for his Observation of many Excellent men falsely accused and judged in Parliament, and his advice to Parliaments to be more circumspect, ib.

The Author minded by that passage out of Fox to reflect on the severity in a late Parliament in their Votes against the King's Ministers, ib.

The injustice of the Vote against the Earl of Hallifax, p. 266.

The Earl of Radnor occasionally mentioned with honour, ib.

The Constancy of the Earl of Anglesey to the Protestant Religion further asserted, p. 267.

THE INDEX.

Mention of his Lordships being injuriously reflected on in a Speech of Sir W. J. ib.

The unreasonableness of the Reflections on the Lord Chief Justice North, for advising and assisting in the drawing up and passing a Proclamation against Tumultuous Petitions, ib.

The great deserved Character of that Lord Chief Justice, p. 268. throughout.

A reflection on the popularity of Sir W. J. and on the excessive Applause he had from the House of Commons after his Speech for the Exclusion-Bill, p. 269.

Sir Leolin Jenkins mentioned with honour, ib.

The Cabal of Sir W. J. observed to be full of fears of the Exclusion-Bill passing, and their not knowing what steps in Politicks to make next, ib.

The Earl of Peterborough at large mentioned with honour, ib. and p. 270.

A further Account of the Authors prediction of England's future happy State, ib. and p. 271.

The Author observes that the most remarkable late Seditious Writers have published it in Print, That they feared the next Heir to the Crown only as Chief Favourite to his Prince, and that they judged that the Laws would sufficiently secure them from fears of his power if he should come to the Crown, p. 271.

An Assertion of his never having advised his Prince to incommode any one illegally, and of his not having used his own power to any such purpose, ib.

The Author judgeth such Persons to write but in jest, who amuse the People about being Lachrymists by that Princes Succession, ib.

The Author reflects on our Counterfeit Lachrymists for not affecting as quick a prevention of any future

growth of Popery, as was took care of in Scotland, p. 272.

He observes that few or none in Scotland fear that Popery can ever in any Course of time there gain much ground, ib.

The Papists in that Kingdom estimated to be but 1000, ib.

The Author believes that the fears of Poperies growth will be daily abated in England, and in time be extinguished, ib.

More Popish Ecclesiasticks observed to be in Holland, then Ministers in France: and that yet none in Holland pretend to fear the Papists, ib.

The Authors judgment of the Dissenters Sayings being usefully published, ib.

Some Notes on the Geneva Bible seditious, ib.

The same Tenet of firing Heretical Cities that is in the Popes Canon Law founded on the 13th of Deuteronomy, is chargeable on our late Presbyterians, ib.

The Assemblies Annotations cited to that purpose, ib.

The Church of England illuminates us with better Doctrine, p. 274.

Bishop Sanderson cited for that purpose, ib.

Calvin as to this point did blunder as shamefully as our Assemblymen, p. 274.

Several of the Calvinistick and Lutheran Divines imbibed the error of Hereticidium from the same mistaken Principle of Monk Gracians, ib.

The Presbyterians here fired the Church and State with a Civil War, ib.

The Authors belief that there will never be any new Presbyterian Synod in England nor General Council beyond Sea, ib.

The Popes Pensions in the Council of Trent that sate for 18 years, came to 750 l. Sterling per Month, ib.

The

THE INDEX.

The Author predicts the extermination of all Mercenary Loyalty in England, ib.

The reason of such his Prediction, p. 275.

The Lord Hyde first Commissioner of the Treasury mentioned with honour, ib.

What the new Heaven and the new Earth is that the Author expects in England, ib.

The reason that induced false Prophets to foretel evil rather than good to States and Kingdoms, p. 276. at large.

The same applied to our Augurs who by enlarging our fears and jealousies and their own fortunes thereby, rendred the Genius of England less august, ib.

The Authors measures of the future State of England are taken only from Natural Causes, and Natures Constancy to it self, p. 277.

A short account of several great Religious Doctrines having naturally pierced through the sides and roots of one another, p. 279.

The Religion of the Church of England hath naturally pierced through the sides and roots of Protestant Recusancy, ib.

The numbers of the Non Conformists are daily decaying, ib.

There were in the Year 1593 judged to be in England 20000 Brownists, ib.

The Gross of the Numbers of Non-Conformists always consisting chiefly of Artisans and Retail-Traders in Corporations, p. 281.

They were very numerous there before the King's Restoration, ib.

A new way by which their Numbers and Potency may easily there be diminished, ib.

The Author judgeth the continuance of the old Laws against Protestant Recusants to be necessary, p. 282.

The Lord Keeper Puckerings Speech of the ill behaviour of the Puri-

tans in 88, referred to, ib.

The prudence and justice of the King's Measures asserted, as to the not repealing the Statutes against Protestant Recusants, ib.

The Peace of Munster observed to have removed the popular fears abroad in Case of the Successions of lawful Princes differing in Judgment from the Religion Established, p. 283.

The Author of the Catholick Apology with a Reply, cited for there not being one Priest, one Mass, one Conversion more in England, in the year after the Declaration of Indulgence, then in any year of trouble, p. 284.

The Author mentioneth the soft and gentle disposition of Bellarmine, p. 284.

The Authors reflecting on the Principles of the Jesuites with sharpness as the Pope and his Court of Inquisition have done, ib.

The Author disowneth all acerbity and rancour relating to the usage of any Papists, ib.

He observes that the putting Roman Catholick Priests here to death, did propagate their Religion, ib.

The Author observes that an English Priest of the Church of Rome hath done him the honour to adopt as his own many passages of the Authors long since printed, that were dissuasive of the use of force in matters of Religion, p. 284.

Observed that if it be not lawful for every man to be guided by his private judgment in matters of Religion, 'tis hardly possible to acquit our separation from the Church of Rome of the guilt of Schism, ib.

The Author not inclined to be severe to any Papist for being in any Tenets that may properly be called Religion, guided by his private

THE INDEX.

vite judgment to receive the guidance of the Church of Rome, ib.

The Custom of Authors of large Discourses, publishing together with them a REVIEW, ib.

He promiseth to the Earl of Anglesey a REVIEW of this Discourse, p. 285.

The Author will in a short RE-

VIEW explain some passages on occasion, and add others, ib.

If he doubts of any thing or shall alter his opinion of any thing therein, he will in the REVIEW acquaint his Lordship why he doth so, ib.

The Author thinks that as none but Cowards are cruel, so none but Dunces are positive, ib.

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The author will be a great help
to the reader in a great way
in a REVIEW of the book
It is a book to the best of knowledge
in a REVIEW of the book
The author will be a great help
to the reader in a great way
in a REVIEW of the book

(2)

Devon. Jan. 27. 1680.

May it please your Lordship,

I Give your Lordship my most humble Thanks for the honour of yours of the 15th of this Instant, and had waited on you with them in *London*, had not some unexpected Business detained me. It will seem no strange News to your Lordship, if I tell you that I hear that the *Papists* have of late presumed among their *Confidents*, to be very liberal in the mention of their Joys upon the Dissolution of the Parliament. I wonder that *dies diem docens*, after they have found the Splinters of broken Parliaments sticking so long in their sides, and have found that every new Election hath produced Patriots more Zealous for the true Interest of the Kingdom, that is to say, the extermination of Popery, hath not yet taught them that they may well suppose that a new Parliament would shew the spirit of the People with more strength, as the more frequent drawing out the spirit of any Plant in a Still makes the Extract more fine and strong. And methinks a little refreshment of their Memories may let them see that the cold fits that have shook, and the hot ones that have fryed them in the several late Sessions of Parliaments, have not been cured by Dissolutions or Prorogations, but only palliated and respited to the recurring with greater strength, and may represent to them an Ague not cured, but only prorogued by Jesuit's Powder.

But one piece of News that was brought hither from *London*, will (I suppose) seem strange to your Lordship, and which I will be the last man in *England* who shall believe, is, that my Lord Privy Seal can be a Papist. I think it was St. *Augustine*, who meaning well in a pang of Zeal, cry'd out on one occasion, *Credo quia impossibile est*: But I shall both as to the truth of the Popish Religion, and of your Lordships believing it, ground my disbelief on the impossibility of either. When I hear men say, that they look upon it as an exerting of a miraculous Power Divine that the Globe of the Earth hangs in the Ayr without falling, I interrupt not their thoughts of devotion, but know that the Earth which is ballanced by its own weight, cannot fall but it must fall into Heaven, *Cælum undique sursum*: And should any one tell me of your Lordships being unsteady and falling into any gross erroneous opinions in Religion, I who have long observed the constant tendency of your understanding toward the Center of truth, cannot apprehend any danger of your falling from it. So likewise when I hear men impute it to the Divine Benignity that they were not made Flys or Toads, I disturb not the Piety of their thoughts, but know that it was not possible to make me, that is to say, endued as I am with a Rational Soul, to have been a Fly or a Toad; which Creatures by their very Natures are devoyd thereof: And thus tho such a Protestant may turn Papist who hath a gross understanding sway'd by sensual appetites; yet in the condition of that excellent manly understanding of your Lordships which has so absolute a Sovereignty over all brutish inclinations, whereby you and all others whom Heaven hath favour'd with such Endowments, do as much transcend degenerate Mankind as they do Beasts, the errors of Popery must be too gross for you to be able to swallow.

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'Tis possible that some of the Agents for *Rome* here finding that your Lordship will not after all their insinuations be theirs, may have instilled it into some that you are so, according to the leud Custom of Gallants to defame the virtue of the *Ladies* they could not corrupt; but 'tis no more possible for your Lordship to believe *Popery* to deserve the name of a *Religion*, after you have surveyed the several parts of it with your penetrating Judgment, unwearied diligence, and the incomparable Candor worthy of a lover of truth, and indeed worthy of your self, then it was possible for Sir *Francis Drake* after he had sailed round the Earth, to believe the Opinions of St. *Augustine* and *Lactantius* who deny'd its rotundity. To celebrate your Lordships accurate knowledg of, and constant Zeal for the Protestant Religion among the happy few that have the honour of your retired converse, were to gild Gold, and to fear the possibility of its appearing upon any *Enquiry* that you are not of that Religion, is to think or fear that Gold can be destroyed.

I have upon my occasional debates with some persons that would make your Lordship a *Papist* whether you will or no, call'd to mind some discourse I had with you long since, concerning your Birth and Education, and thereupon considering the closeness of your Education in the Protestant Religion, have as much wondered at thinking how it was possible for any principles of *Popery* to get into your Mind, as at Wild Beasts getting into Islands. When I consider how the first thoughts of Childhood ripening into Youth, are like the first *Occupants* claiming and generally keeping possession during life, I am apt when I hear of any mans owning a Brutish or Savage Religion, To think of the Egg of such a *Crocodile*, and from what *Animal* it came. And he that shall look back on your Lordships beginning, will find you descended of Noble and Renowned Parents, both by Father and Mother, who likewise were esteemed (as I may say) *Noble Bereans* for searching into the Scripture, and thereupon owning the Protestant Faith: In a word of a whole Family of Confessors, if Sir *John Perrot* Lord Deputy of Ireland your Great Grandfather, your Grandfather *Annesley* an Eminent Commander at Sea, and a principal Undertaker in *Munster* in the Reign of that blessed Queen *Elizabeth*, that great Statesman *Francis Lord Mount Norris and Viscount of Valentia*, a Faithful Servant to the Crown in many great Employments, and among the rest, Principal Secretary of State, Vice-Treasurer, and Treasurer at Warrs in *Ireland* to Two Great Kings of Famous Memory, King *James*, and King *Charles the First*, and the Family of the *Phillipses* of *Pickton Castle* in *Pembrokeshire*, out of which your Mother came, have their just mention in Records and in Story. Your Lordship being born in *Dublin* received there your Name in Baptisme at the Nomination of your Noble Sponsor *Arthur Lord Chichester* and Baron of *Belfast*, who had been Deputy of Ireland Eleven Years, and for whose Name the *Protestants* of that Kingdom have still a great Veneration. Your Lordship I remember further acquainted me, That at your age of Ten Years the Scene of your Education was removed to *England*, and that afterward you spent Four Years in *Magdalen Colledge* in the University of *Oxford*, where you enjoyed the Learned Conversation of Dr. *Frewen* then President of that Colledge, and since that *Archbishop of York*, Dr. *Hammond*, Mr. *Williamson*, Mr. *Harris*, Dr. *Drope* yet living and Senior Fellow of that Colledg; and from whom and other Excellent Persons of that University, I have heard that your Lordship was then an Ornament of that place, and an Eminent Proficient in all Academical Learning, and that you there performed Exercise for your Degree with the general applause of that place. And there where you came to that great Mart of Knowledg with so great a stock of Natural Reason, and improved the same with so much Logick, and conversed so many

Years

Years with the great Champions of the Church of *England*, I am sure (If I may without affectation use a *School Term*) your Lordship could have no *Motus primo primus* to Popery. I remember that your Lordship told me, That your Noble Father transplanted you thence to the Honourable Society of *Lincolns-Inn*, where with unwearied steps your diligence it seems overcame the craggy ascent of the Study of the Common Law of *England*: But where the pleasant height of it Compensated your pain in the way, and gave you not the *Landscap* of one *Valley*, but the *Prospect* of all the Land of the people of *England* beneath it, fenced in with the enclosure of *Property*, of men, (according to the *Scripture* expressions) sitting under their Vines and Fig-Trees, and none making them afraid, where the Pastures are cloth'd with *Flocks*, and the *Valleys covered with Corn that they shout for joy, and sing, where our Oxen are strong to labour, and no breaking in, nor going out, and no complaining in our streets*; and of a Numerous brave Nation not capable of being enslaved by any Wills or Passions but their own.

And sure where your Lordship learn'd the Science of this Noble Law, that is, a Law of Liberty, your self and your Brethren in that Honourable Society must needs eccho back that great exclamation of the *Peers of England*, *Nolumus Leges Angliæ mutari*, and not endure the servitude of the Law of the Pope, or which is all one, his will.

Yet moreover such was my Lord Mount Norris his Zeal that you might by all means imaginable be confirmed in the utmost detestation of Popery and Arbitrary Government, that he then sent you to Forraign Parts, that you might see those *Monsters* you had here but read of, which occasioned your travelling into *France*, *Savoy*, many parts of *Italy*, and particularly into *Rome* it self, where the *superfluity of Naughtiness* (as the *Scripture* expression is) doth *Nauseate* all Travellers that go thither with their Reasons about them, and are not determined to prefer *Church pagantry* and gawdy nothings before plain demonstration and propositions of *eternal truth*. I have been told that your Father the Lord Mount-Norris his Commands and his Concerns both domestic and publick call'd you from *Rome* to *England* toward the Year 1640: when several Parliamentary Addresses and Remonstrances about the *Insolence* of the *Papists*, and encrease of their Power and Numbers in *England* had been made. And indeed the Court of that *Pious King Charles the First*, was so beset with them then, or as I may rather say *inlaid*, that my Lord Arch-Bishop *Laud* having sent his Majestie a Letter with the detection of Popish designs against his Crown and Life made by *Andreas ab Habernfield*, desired his Majesty not to trust his Pockets with the custody of the Letter. The Thunder of the Parliament had then at that time so cleared the Air of *England* from the infection of Popery, that I suppose none will think your Lordship could be then tainted with it. And the Civil Wars of *England* afterwards breaking out, when both parties appealed to God for the decision of their cause by the Sword, and Contested with each other in public Declarations, about which of them was the greater enemy to Popery, it had not only been very *impolitic*, but extremely *ridiculous* for any man at that time, by coming in and pretending to a pretended Religion, to expose himself to the fencing with two enraged multitudes, which would have produced the same effect as would a *Jesuit's* preaching a *Postilling* Sermon here against the Yearly burning of the Pope to the *Populace* employed in that Solemnity.

My Lord, I find my self here engulfed in writing a long Letter; and the truth is, having a great concern for your Lordships Honour, I am willing to take pains to satisfy my self exactly, that I may satisfy others so about your being a Friend to the King and Kingdom, a Friend to Mankind, which your being an Enemy to the principles of Popery can only render you, and qualify you

you for lasting Monuments in the hearts of your Friends. 'Tis therefore that I thus *trace* your Lordships steps on the Stage of the World, wherein if I have erred in any thing, I shall be glad to be set right, but can erre in nothing more than in continuing a Friend to any one that at this time of day designs to advance Popery in *England*. The *Roman Historian* speaking of *Nero*, saith, *Tyrannum hunc per quatuordecem annos passus est terrarum orbis*. And it may truly be said, That *England* formerly has endured the *Popes Tyranny*, and the artifices of his adherents and favourers for some Ages: But the *patience* of *Man* has bounds, and the propagators of that Religion who have so long maintain'd a *separate Sovereignty* here, the which is like an *Animal* living within an *animal*, will find that as the lesser creature is evacuated by the greater, or destroyed therein, or doth else destroy the greater *animal*, so will it be in the case of their *power* among us. And I believe that Popery that always would be all or nothing, may shortly have its wish, And I hope come to nothing, by your Lordships being a happy Instrument therein, and that you will live to see, and help to make us as free both from danger and fear of the *Bishop of Rome's power*, as we are from *Prester Johns*. And since we may judge of future things by what hath been, we may well be allowed to expect from your self the same happy influences on our Religion, Government and Liberty we have been formerly blest with in your past life, which hath been a life of *business*, in order to the Worlds *quiet*, and to that sullen thing called *business*, that thing generally hated by *men of Wit*, have you made your self a *Slave* to secure our *Liberty*, to that have you *sacrificed* your time, and been (as I may say) Continually *hewing* at the *annosa quercus* of Popery, that we might not be *sacrificed* by its *foolish Druids*, whose Religion teacheth them to delight so much in *humane victims*, and to kill men not like *Cannibals* to feed their hunger, but to feed their fancies. The *Religion* opposite to this, hath your Lordship in the Course of your administration of public affairs, strenuously asserted in times that cannot be thought of without horror, and when you were not *safe guarded* by *bastions*, but even in the *breach*: 'twas there the Protestant Cause found your Skill and Valour.

When your Lordships Travels were ended, and you had delivered your Noble Father from Persecution, and with the help of the Education he gave you, Saved him by your knowledg of the *Lex terræ* from falling as a prey to Arbitrary Power, and Martial Law in times of peace; and thereby shewed your self both a good Son and great Patriot, the first Scene of public Employment wherein your Lordship appeared with Eminency, was as *Governour* of *Ulster* by authority under the Great Seal of *England*; a Charge of difficulty, when the Forces from *Scotland* under the Command of *Major General Munro* had so long ruled absolutely there, that the *English* Interest had suffered a great eclipse and diminution. How your Lordship managed Affairs during your Government there, and how by your Councils the most pernicious and potent *Rebel Owen Roe O Neil* was opposed, and his design to swallow up that Province and the Province of *Connaught* disappointed, and the Protestant Interest in both united and encouraged, and under your Conduct and Command the Titular Popish Archbishop of *Tuam* taken and killed, and by the seizure of his Cabinet and Papers, the *Popish* design upon *Ireland* discovered and broken, In due time I doubt not your Lordship will give such further Accompt as may secure Posterity by his Majesties leave, and clearer information from the like attempts from that *bloody Party*, From that Service your Lordship was upon the ill success of those Commissioners who were first sent to the then *Marquess of Ormond*, employed to make the *Capitulation* with the said *Marquess* then *Lord Lieutenant of Ireland*, for the Surrender of the City of *Dublin*, and all other Garrisons under his Command, into the

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Parliaments hands for securing them from the *Irish Rebels*, who had invested and streightned the same: Which happy work was effectually accomplished by the Articles made with the said Marquess already published to the World; And so the Protestants Interest in that Kingdom made entire, and so considerable that they daily gained ground of the *Confederate Rebels*, till at length they were wholly subdued and vanquished. After those Articles concluded, and reception of the said City and Garrisons, your Lordship was called back into *England*, where being a Member of the *House of Commons*, you shewed your self no less useful to this Kingdom; And have since in Parliament and Council, and other great Employments in both Kingdoms shewed your self an Eminent Instrument both in his Majesties happy Restoration, who entirely trusted you with the Management thereof, and in other great Affairs of State and Government to general satisfaction, being never by those that knew you so much as suspected for Evil Council, or want of Zeal and Faithfulness to your King or Countrey, but every day gaining more the Love and Esteem of Protestants and Patriots, as you had incurred the implacable hatred of the Popish and Arbitrary Factions. I cannot here but observe, That a little before the Kings Restoration, the spirit of the people universally shewing its resentments so strong and vehement against *Lambert* and his *Committee of Safety*, and against all the propounders of projects of Government, that nothing but his Majesties return to the Throne of his Ancestors could quiet the people, and your Lordship then as *President* of the *Council* by your great Willdom Contributing highly to the dispatch of many arduous and intricate Affairs requisite to make that great Revolution without *bloudshed*, when things near their *Center* were moving so fast, it may well be reckon'd among *impossible* things, that your Lordship should now espouse the *Papal* interest, when the Vogue, the Humour, the Sense, and Reason, and Spirit of the People are bent against it, with as keen and strong and general an *antipathy* as can be *imagined*. And when I consider that great real power you had in the Kingdom at that time, testify'd not so much by your *signing* all the great Commissions then for *Military* and *Civil* Employments, as by both the King, and the best and wisest of the people in the Three Kingdoms putting themselves in your hands, and having their eyes chiefly upon you as to the management of the *Political* part of that mighty concern, I cannot but thinking of your Lordship whom thus the *King* and *Kingdom* delighted to honour, apply to you these words in *Valerius Maximus*, where he speaks of *Agrippa Menenius*, whom the *Senate* and *People* chose *Arbitrator* of their differences, and to compose matters between them, *Quantus scilicet esse debuit arbiter publicæ salutis*: Yet as great as this Man was, he could have no *Funeral*, unless the people had by a *pole* given the sixth part of a penny to defray his Funeral Charges: But your Lordships case in one particular seems harder then his, for they who unjustly go to take away your good Name, and to make a Papist of you, go about to bury you alive.

Had your Lordship after the Kings Restoration aspired after the power of a *chief Minister*, or suffered any such to be committed to you, you must have took it with the concomitance of universal envy, that hath always in *England* been fatal to such power, *England* having always thought such power fatal to it. 'Tis the power it self of such a *Minister* that is look't on as a popular Nuisance; and 'tis impossible for such a great Man by raising his power only to what he thinks a moderate height, to keep it secure and lasting. For tho a Steeple be built with firm Stone, great Art, and but with a moderate height, yet are there Clouds charged with Lightning and Thunder, and moving in the Ayr sometimes not higher than the top of such a Steeple, and the *Pyramid* or sharpness of such a Steeple then (as I may say) tapping or broaching such a

Cloud that comes that way, is instantly Burnt and Thundered down; And the Multitude of the *Primier Ministres* adorers, who are always pleasing or troubling him with their sacrifices, do all with sudden confusion leave him when he begins thus to fall, as if Thunder-struck from Heaven.

We find in *Rusworth*, that *June* the 13th. 4 *Caroli*, it was ordered upon the Question, *That the excessive power of the Duke of Buckingham, is the cause of the Evils and Dangers to the King and Kingdom.* And we may well suppose, that if a Parliament doth still as one man set themselves against a Monopolist but of one little pedling commodity, that they will look on a *Chief Minister* as one that would, or in effect doth monopolize the Beams of the Sun, I mean the Kings Eye, and as one that alone hath the Kings Ear, and as one that is the great forestaller of the Court-market of preferments.

And happy it is for a *Chief Minister*, that the way of Parliamentary Impeachment hath been in such antient usage, for that rids the people of the outrage of that Minister, and that Minister of the outrage of the people. Our Stories speak How barbarously Cruel the brutish Rabble was to Dr. *Lamb*, called the Duke's *Conjurer*, and the reason why the people hate those they call *Conjurers* so much is, because, they think such have a power to hurt their Children or Cattel; and the same reason makes them hate one that they look on as a Kings *Conjurer*, who they think can hurt their Property, and one who on occasion can raise up Domestick and Foreign Devils to molest them, and especially if he cannot lay those Devils when he has raised them, and who can if he will put the People to charge, and to the danger of starving to feed his familiar spirits. When once the people find by any mans power, the fence of the Law begun to be broken down, they will go in at the gap, and 'tis nothing but the Law that secures a chief Minister, and them against one another. St. *Austin* therefore doth rationally in his *De Civitate Dei*, charge the miserable condition of the Romans on the contempt and breach of their Laws; and saith he, people were promiscuously put to death, not by Judgment of Magistrates, but by Tumults, *Neq; enim Legibus & ordine potestatum, sed turbis animorumq; Conflictibus Nobiles ignobilesq; necabantur.*

Your Lordship therefore when you had been a *repairer of the breaches of the Nation*, and of the Law therein, and (in the Scripture expression) a *restorer of paths to dwell in*, as easily and unconcern'd gave up the great depositum of power the King and Kingdom entrusted you with, as ever you restored the least to a private person, and have ever since among the Councillors of your Prince both endeavoured to make your Country safe, by giving Counsel against any Neighbour Nations being too powerful, and to make your self secure by your not grasping more power than you saw in the hands of each of your honourable Colleagues, as well knowing that any single Minister that shall here set up to be a Dispenser of the Sovereign Power, had need either still wear a Coat of Mail and an Iron Brest-plate, or bind the whole Kingdom to the Peace. Your Lordship can hardly look into antient History without meeting Examples of the People like the *Leviathan* playing in the Ocean of their power, and spouting out their censures both with fury and wantonness, when they are dooming the great. You know the *Lacedemonians* did reprimand their *Lycargus* because he went with his head stooping, the *Thebans* accused their *Paniculus* for his much spitting, and the *Athenians* *Simonides* because he spoke too loud, the *Carthaginians* *Hannibal* because he went loose in his garments, the *Romans* *Scipio* because he did snore in his sleep, the *Uticenses* *Cato* for his eating with both Jawes, the *Syllani* *Julius Cæsar* for wearing his girdle carelessly, the *Romans* were angry with *Pompey* for scratching himself but with one finger, and likewise for wearing a garter wrought with Silver and Gold on one leg, saying that he wore such a Diadem about

about his foot as Kings do on their heads, though yet it seems the only cause of his wearing it was to hide a Sore place there. And in these above-mentioned cases we are not to think that those *Ancient* and *wise* people who thought the rest of the world barbarous, could censure those persons so barbarously for those senseless reasons, but out of a hatred to the persons Censured, were resolved to strike at the first thing they met, how innocent soever in it self, in persons they thought they had reason to represent odious.

A late Great Man, who in a *Public Speech* in *Parliament* render'd the English tongue as having the Monopoly of the term *good Nature*, found that they had not *engroft* the thing when they imagined that his *Ministry* Monopolized much of the Regal power. And another eminent person, afterward a Minister to His Majesty, Suffered as a favourer of the *French*, at whose imprisonment I have heard that the *Louvre* rang with as much joy and triumph as if they had carried the point in a great fight at Land or Sea; and he likewise suffered obloquy as if concern'd in the infamous murder of *Sr. Edmond Godfrey*, from which he was certainly as free as from having killed *Julius Cæsar*: And how far the 'embroider'd garter about his leg, made him like *Pompey*, Envyed, I know not; But as I said 'tis a chief Ministers power the people of England strike at, who may not be unfitly resembled to *Alexanders Bucephalus*, that would let none but *Alexander* ride him, nor could *Alexander* himselfe do it till by holding him against the Sun he kept him from being frighted with the sight of his Shadow. And when one Subject seems to be the representative Shadow of the body of the whole people, the Sight of him frights them so as to make them uneasy to be ruled, And therefore I think his Majesty did rationally provide for the public Security when he signified His pleasure in a Speech in a late Parliament about not Ruling us by a single *Ministry*.

I should not wonder if your Lordship were called a *Papist* if you had been the possessor of any such power, that name being now the angriest the people can throw at any one, as it was before the late Warres, when *Archbishop Laud* who had writ so well, and so much against the *Papists*, fell under the weight of that name, But really by the power of that chief *Ministry* he had in the *State* of *England* after the death of the Duke of *Buckingham*. And at that time the currant definitions of a *Papist*, and of one who enjoyed *Arbitrary Power* were the same, And the things made convertible, or Devils dancing in the same Circle. And so likewise the *Vouge* at this time obtains among the populace who cannot see through the hard words and things in definitions, and if you ask them *what is a Papist*, they will tell you he is one that is for *Arbitrary Power*, and asking them *what is one that is for Arbitrary Power*, they will say a *Papist*. And in cases where the people do not think fit to begin with Execution, Common Fame goes for proof against such a Minister, and the political whispers of other Great Men who inspire them, goe for demonstrations, and they think knocking down *Arbitrary Power* with Arbitrary proof is a good *baculum argumentum ad hominem*, or rather a Monster of power, for as such they look on one of the People, who is so by the head higher then themselves. I know none to have observed the constitution and customes of the Government of *Venice* better then your Lordship, and there any one that is but *Arbitrarily affected* (as our term is here, *Popishly affected*) is taken volly before he comes to the ground, or at furthest, at his first rebound, and his head made a Tennis Ball before he comes to be bandi'd among the people, I mean he is first *Summonarily* dispatcht, or made away, and his plenary process is dispatcht or made up afterward. Your Lordship hath in the course of your travels been there in person, but my eyes have only beheld it as a traveller in Mapps and Authors: one of whom, namely *Boccaline* in his
Raggnagli

Raggnagli di Parnasse Speaking of *Venice* saith that the dreadful Tribunal of the Council of ten, and the Supream Magistracy of the State-Inquisition, could with three ballotting balls easily bury alive any *Cæsar* or *Pompey* who began to discover himself in that well governed State. And according to the Lawes of that Country any aspirer of the first rate so sunk by the shot of the ballotting balls, may be said to be kill'd very fairly, though there was no more Citation in the case then in that of the *Martyrdom* of *Sir Edmond Godfrey*, who yet according to the principles of the *Canon Law* was likewise killed very fairly. I here allude to the *Style* of the brothers of the blade, who when sworn at a Tryal about one murthered in a *Duel*, usually depose that he was killed very fairly, And indeed I have by a Neighbour of mine, who is a *Civilian*, been shewn it in a *Civil Law Book* called the *Second Tome of the Common Opinions*, in folio, Book 9. p. 462. Printed at *Lions*, that *Rebellis impunè occidi possit, & tunc demum probari & declarari quod erat rebellis*: And the *Canonists* do as I am informed by him all agree, that *valet argumentum à crimine læsæ Majestatis seu rebellionis ad heresim*, and with good reason according to the *Popish hypothesis*, for that, he that is a *heretic*, is a *Rebell* or *Traytor* to the *Pope*, and therefore a *Heretic* by that Law may be destroyed before his Process is made. But the *Kings of England*, like those of *Israel*, are merciful *Kings*, and in the *Laws of England*, Justice and Mercy are still saluting each other, and with as much kindness as they can possibly shew without embracing each other to death, and the meanest *Commoners Life* in *England* becomes not a forfeit to the Law, but after a Tryal by his equals; and in this, our Law agrees with that gentleness and equity inculcated by *Grotius de Jure Belli & Pacis*, Book 3. Chap. 14. *Temperamentum circa captos*, s. 3. where he saith, *Cato Censorius (narrante Plutarcho), si quis servus Capital admisisse videretur, de eo supplicium non sumebat, nisi postquam damnatus esset etiam Conservorum judicio. Quicum conferenda verba, Job. 31. 13.*

I must confess I was very much shock't with one expression used in a long Speech by one of the managers of the House of Commons in the Trial of the *Earl of Strafford*, wherein the saying That Beasts of Prey are to have no Law, was applyed to the *Earl*. I am sure that *Wolfs* and *Boars* are Beasts of the *Forrest*, as well as *Harts* and *Hinds*, and in the *Kings Forrests* where they are in his protection, they are to have Law, and so likewise *Foxes*. To this Metaphor of hunting of men in Parliament, there is an allusion in the printed Letter of *Mr. Alured* in *Rushworths Collections*, 4^o. *Caroli*, where 'tis said, That *Sir Edward Cooke* in the House protested, that the Author and cause of all their miseries was the *Duke of Buckingham*, which was entertain'd and answered with a cheerful acclamation of the House, as when one good Hound recovers the scent, the rest come in with a full cry: So they pursued it, and every one came on home and layed the blame where they thought the fault was. But yet by this saying of *Alured*, it seems they thought they were to give him Law; and 'tis a brutish thing to suppose that wild predatory Beasts have in the *Kings Forrests* more protection, and more exemption from being arbitrarily hunted down, than his *Liege people* to whom he is sworn, have in the whole Realm in general, and in his Courts of Justice in particular. That time seemed not so much *καὶ πρὸς νόμων* as *ὅπλων*: But your Lordships knowledge in the Laws of the Land and in the Laws of Nations is so universal and profound, that you can come to no Court in the World, but will either find Law there or bring it; and your great knowledge of the Parliamentary Transactions in all past Ages, cannot but secure you against any apprehensions of not finding Law. For it hath been rarely seen, that a House of Commons has gone to hunt any man down tho with the Law, that was not a *Nimrod* a Mighty hunter of our Laws themselves; and never was the House

of

of Peers thought a Court of Rigor and Cruelty, and as the *Tribunal of Cas-
sus* was for its dire severity called *Scopulus Reorum*. In the end of the famous
Tryal of the Earl of *Strafford*, the House of Commons foresaw that the Lords
would acquit him, and therefore they broke up the Judicial prosecution against
him, and proceeded by Bill of Attainder, and shortly after broke in pieces on
his Grave the Rule and Standard of Treason they proceeded by, as Heralds
break their Staffs at the Funerals of Illustrious Persons, and cast them into
their Tombes. Had I been one of that Lords Judges, I should have consented
that after he had been hunted so long by the Prosecution for Treason, and was
not Judicially convicted of it, he should have had the priviledg of a *Hart-
Royal* proclaimed, of which *Manwood* in his *Forrest Law* speaking, saith, *That
if the King doth hunt a Stag he is called a Hart-Royal, and that if he doth
hunt a Hart in the Forrest, which by chacing is driven out, and the King gives
him over, as either being weary, or for that he cannot recover him, then because
such a Hart hath shewn the King pastime, and is also Cervus eximius, and that
therefore the King would have him preserved, he causeth Proclamation to be
made in the adjacent Villages, that none shall kill, hunt, hurt, or chase him, and
binder him from his return to the Forrest, and ever after such a Hart is called
a Hart-Royal proclaimed.* But I think that an *eximious* man impeacht in
Parliament and there acquitted, will need no Herald to proclaim his worth,
nor his deserving to be restored *in integrum* to the Royal Protection and Fa-
vour, when that *his own works have praised him in the gates*, that is, in the
Jurisdiction where they were so strictly scann'd. My Lord, if any could
prove your Lordship to be a Papist, he need not call that *accumulative Treas-
on in you*, nor need he go about by torturing the Law to make it confess
many Felonies to be one Treason, many Rapes to be one false coining: But
Popery in you would be plain down-right, palpable and rank Treason by ver-
tue of the Statute of 23. of *Elizabeth*, Ch. 1. which makes it High Treason
for any person in the Dominions of the Crown of *England* to be withdrawn
from the Religion then established, to the Romish Religion. That your Lord-
ship hath been bred a Protestant, and been so (as it were) *ex traduce*, there
needs no other evidence then the contents of this Letter, and that you have
not been withdrawn to the Romish Religion, you have declared by the *Se-
ries* of your *actings* against it, that shew your Mind beyond the power of
words: and 'tis by the help of that great Wisdom God has given you, that
our *English* World expects that a way may be found how to make it more
clearly appear to the eye of the Law when any others have been or are with-
drawn to the Romish Religion, a thing perhaps at present of somewhat diffi-
cult proof: For without supposing that the Pope can or will give them di-
spensations to take all Oaths and Tests that can be devised, doth not a reser-
ving some fantastic sense to themselves, make nonsense of all Oaths, and that
one word Equivocation make them proof against all other words? Doth
not that with them sanctify, or at least justify all other words they can use?
May they not on these terms safely swear there is neither God, nor Man, nor
Hell, nor Devil, that is meaning, *not in a Mathematical point, or in Utopia,
and that they saw not such a Man such a day, that is, not with the eyes of a
Whale?* And have not the late dying Speeches of some of these *Imposters*, and
particularly *Father Irelands*, shewn us, that in the points of mental reserva-
tion and equivocation they persevere in the impudent owning of that which
would unhinge the World, and turn humane Society into a dissolute multi-
tude? And do we not believe many to be Papists, who we know have taken
the Oaths and Tests? Hath not a Papist some Years since writ of the law-
fulness of the taking of the Oath of Supremacy? I speak not this, my Lord,
to derogate from the Wisdom of our Ancestors that appointed these discrimi-
nations,

nations, and do think that when we have used all the lawful means we can, to know who among us are Papists as certainly as we do what is Popery, and to keep Papists from hurting us and themselves, we ought to acquiesce in the Results of the Providence of God. But what all those means are, tho I know not, yet I am apt to believe that your Lordships comprehensive knowledg of men and things, and of the true interest of the Kingdom hath qualified you to tell your Royal Master and His Houses of Parliament: nor do I believe that the difficulty of either finding out such means and making practicable things be practised will blunt, but rather whet the edg of your Industry in this case, as being of *Quintilians* mind who Judged that there was *Turpitude* in despairing of any thing that could be done. I think his words are *Turpiter desperatur quicquid fieri potest*. Tis certainly the interest of the King and Kingdom that the numbers of the *Papists* here, and especially of those withdrawn from Protestantcy to the Church of *Rome* should be known, in the case of which Apostates, tho it be impossible without seizing on the Papers and Archives of one certain Priest to see the Original Acts of their Recantation of Protestantcy, yet is it most certain and on all hands confessedly true, that Eminent Overt-Acts of abhorrency of Protestantisme are alwayes required at the admitting one who was of that Religion into the bosome of the *Roman Catholic Church*: which any one will be convinced of who reads the *Letter of Cardinal D'Ossat to Villeroy* of the 20th of *Octob.* 1603. from *Rome*, where he gives his Opinion against the Queen of *England* being made God-mother at the Baptism of Madam. That *Cardinal* who had incomparable skill in the Canon Law, and the knowledg of all the Customs of the Papal See, and who had lived at *Rome* above 20 Years, saith in that Letter, *I account it my duty to write to you freely that that cannot be done without very great Scandal to good Catholicks, nor without the extream displeasure and offence of the Pope. You presuppose that the Queen of England is a Catholic: but Here we know the contrary, tho some believe that she is not of the worser sort of Heretics, and that she has some inclination to the Catholic Religion. And I will tell you moreover, that tho she were in her heart of the Catholic Apostolic and Roman Religion as much as the Pope himself, so it is that she having been bred up in Heresie and outwardly persisting in it as she doth, she cannot according to the Canons be held for a Catholic in public acts of Religion, till she hath first both viva voce and by writing under her hand abjured all Heresie, and made profession of the Catholic Faith.* Nor was it ever known, that in the case of any Protestants Apostacy to the Church of *Rome*, any Pope ever dispensed with those Canons, and therefore it may well hence be inferr'd, That if evidence just so much as the Law requires as to such Apostacy be given, that no *superpondium* or proof of overt-acts more then necessary ought to be expected, for that overt-Acts almost impossible to be proved, may yet necessarily be presumed: but this by the way. And therefore now further, my Lord, if *fas est ab hoste doceri* be adviseable in the case, as strict Circumstances may be required in the conversion of Papists to our Church, as are in the withdrawing of any from our Church to theirs. Indeed if I were a Member of Parliament, and any one there should be so happy as to invent a way, and propound it whereby the present Lay-Papists in *England* might let us have a Moral Certainty that they neither consented to nor concealed the late Plot, and likewise that they did really detest all those desperate Popish Principles that are fundamentally destructive to the Safety of the King and Kingdom, and that they would harbour no Priests born in the Kings Dominions, nor send any of their Children to be bred in Forrain Seminaries; and on the contrary, that on occasion they would discover to a Magistrate any such Priest, or one who sent his Children to such Seminary, and likewise any one that owned any of those

those Pernititious Principles that strike at the heart of the Civil Government, and that they would presently give his Majesty an accompt of all their own Names, Places of abode, and Numbers of their Families, and that they would not live in nor come to the Court, nor into any of our Cities or great Towns, without leave obtain'd pursuant to the Statute of the 35th. of *Elizabeth*, Ch. 2. (wherein 'tis Enacted under several Penalties, That they shall not remove above Five miles from their dwellings, and to give in their Names to the Constables, Headborough, and Minister, &c.) and that the people might be delivered not only from any danger by them, but any fears that might fall on a wise man, either of their power or numbers encreasing, I should joyfully entertain such an invention; But what way of that kind is practicable, I am altogether ignorant, But do suppose that the present Lawes, Oaths, and Tests, ought to continue till with the Consent of His Majesty and Lords and Commons in Parliament we are further secured.

I know that we ought to be much more vigilant over *English Papists*, then over any Forrainers, for that tis a kind of a *Rule* that *Angli nil modicum in Religione possunt*, and therefore that no *Popish Priest* who is a Subject to *England* can with the public safety live here. Your Lordship hath I think as comprehensive a knowledg of the affairs of *Ireland*, as any man can have, and therefore I shall here tell you that a Gentleman of *Ireland* told me that in the times of the usurpt powers 'twas in the *Act of Settlement for Ireland* by the Parliament declared, that it was not their intent after almost a National Rebellion to extirpate the whole *Irish Nation*, but that after an exception of certain persons as to Life and Estate, the Act orders some *Irish* to be banish'd the Kingdom, and other *Irish* to be transplanted to some part of *Ireland*, allowing them such proportion of Land and Estate there as they should have had of their own elsewhere in *Ireland* if they had not been removed. What effect that Transplantation had I know not, but I suppose it easier to remove a handful of men from one corner of the Land to another, then 'twas to remove almost a Nation: And do suppose there are some *Papists* in *England* as innocent of this late Plot, as there were some in *Ireland* of that Rebellion. The *Dean of Canterbury* doth in his incomparable Sermon before the House of Commons on the 5th. of November 1678 acknowledg the Piety and Charity of several persons who lived and dyed in the Roman Communion, as *Erasmus*, *Father Paul*, *Thuanus*, and many others who had in truth more goodness then the Principles of that Religion do either incline men to or allow of. And so I think my self bound in justice to Judge in that manner of some *Papists* of my acquaintance. Thus the *Epicureans* of old tho their Principle of making happiness consist in pleasure was detestable, gained this point, that many of their Sect were honest men: And so much *Tully* acknowledged to be true, but with a *Salvo* to his exception against their Doctrine. Speaking of *Epicurus* and his Followers, L. 2. *De Finibus Boni & Mali*: he saith, *Ac mihi quidem videtur quod ipse vir bonus fuit, & multi Epicurei fuerunt & hodie sunt, & in amicitiiis fideles, & in omni vita constantes & graves, nec voluptate, sed officio consilia moderantes*. It seems to me that *Epicurus* was a good man; and many of his Sect have been and are faithful in their friendships, and constant and serious men in every condition of life: and managing the conduct of their lives by duty and not pleasure. But then saith he, *boc videtur major vis honestatis, minor voluptatis*: and afterwards he saith, *atque ut cæteri existimantur dicere melius quam facere, sic hi mihi videntur melius facere quam dicere*: As much as if he had said, No thanks to their Principles, but their honest inclinations, the force of honesty shew'd it self more Predominant in them, then that of pleasure: and as other mens Principles are accounted better then their Practises, these mens Practises are better then their Principles.

It is I think Gods standing Miracle in the world, (who is able to make a divulsion between the formal and the vital Act, namely, to make fire not burn) to keep some men from undoing themselves and Mankind by the genuine consequences of the Opinions they profess in matters of Religion: And thus it is happy for the World, that *Caliginosa nocte premit Deus nepotes discursus*: And he can by an Omnipotent easiness when he pleaseth, Divert a mans understanding from seeing any first-born consequence from his opinion, as well as a more remote one. Moreover, the Divine Power doth in the Government of the World interpose it self sometimes between professed Notions or Principles themselves, and mans intellectual faculties. Good men sometimes do not believe even the existence of that and of some other divine Attributes, where the things to be believed are to be seen by the light of Nature; And bad men habituated to lying sometimes do at last believe the lyes and shamms themselves made, though yet for the most part it happens (what is perfectly worthy of the Divine Power and goodness) when men are with Candor and purity of mind seeking after Truth, that Heaven does so influence their understandings, as that they are not by false lights artificial seduced to believe any thing against the light of Nature, nor given up by weak arguments to strong delusions. These things considered, I think that that great Divine of our Age, the Lord Bishop of Lincoln, hath with a Noble modesty and charity in the Title of his unanswered and unanswerable Book against Popery, exprest the Principles of that Religion when really believed to be pernicious.

And having said all this, I need not trouble your Lordship or my self much further about finding a way to prevent the *Papists* from troubling us, but do suppose that the *Papists* themselves are most concerned to labour in such an invention. And instead of their being led by any hellish Principles to destroy any City of ours by Sinister means, That is by burning it, they may, if they please, in their Devotion, address to Heaven for that favour to its old chosen People on Earth mentioned in *Psalm. 107. v. 7. And he led them forth by the right way, that they might go to a City of Habitation.* I suppose, that after so eminent a Person as the Lord High Chancellor of England in his Speech at the Condemnation of the Lord Stafford, made that great interrogation, Does any man now begin to doubt how London came to be burnt? and after the Vote of the last Parliament the last day of their Sitting in these words, viz. Resolved, That it is the Opinion of this House, That the City of London was burnt in the Year 1666 by the *Papists*, designing thereby to introduce Arbitrary Power and Popery into this Kingdom, they will not think it strange that they should not be permitted to live in any of our Cities again, till they have shew'd how orderly they can live in one of their own: And therefore I think we may without breach of Civility, or at least violation of justice, apply to them some part of the words which I find quoted by Dr. Bramhall Lord Bishop of Derry in his just vindication of the Church of England, out of *Gerf. part. 4. Ser. de pace & unit. Græc.* as the farewell Speech to the Bishop of Rome, when the *Græcian* and all other Eastern Churches parted from him, whom they acknowledged only as a Patriarch, Namely, *We acknowledg your Power, we cannot satisfie your Covetousness, live by your selves.*

How it is in the case of the People of Switzerland, *Papists* and *Protestants* living apart by themselves in several Cantons, cannot be unknown to your Lordship: Nor that the *Protestants* and *Papists* when they there made their League at first joyntly to maintain their Liberties against the House of Austria, then agreed upon this also, That if any of the Natives living in the Cantons of either side should change their Religion, that then they should be permitted respectively to sell their goods and transplant themselves to the
Canton

Canton whose Religion they embraced: But I shall tell your Lordship, That of late the *Popish Canton Switz* did break this agreement, and would not suffer some of their Native Inhabitants to partake of this freedom, and did confiscate the goods of some Families that changed their Religion, and at the instigation of the *Fryars* and *Jesuits* they condemned some of them to death, and others to the *Gallyes* which was the cause of a Commotion among them.

The Gentleman of *Ireland* who discours'd somewhat to me of the *Transplantation* of the *Irish Papists*, told me, it was into the *Province of Connaught*, and I think into the In-land parts of that Countrey, for to have trusted them to live in Maritime Towns there, whereby they might have let in an invading *Popish* or other Forrainer, were to have trusted them with the power of the *Keys* of the Kingdom: And he further told me, That the transplantation was managed with much satisfactory tenderness to those *Papists*, and that as to *English* and *Irish*, it had partly the nature of a bargain that gave content on both sides, and secured them against each other after all the mutual exasperations that had pass'd, and when 'twas fresh in the memory of both *English* and *Irish*, that 'twas the promiscuous and scatter'd dwelling of the *English* among the *Irish* before the Rebellion that tempted the *Irish* to butcher them, and made the *English* Sheep for the Slaughter; and when it was not likewise forgot, that in former Wars the partition or distinction of the *English Pale* did secure the *English* inhabiting within its district.

I askt the Gentleman if they were not stinted to a certain number of *Priests*, and care taken that none of them should be *Jesuits*, and that the chief Governour of the Countrey should know their Names, and whether any *Priests* Natives of that Countrey were allow'd them? as to which enquiries he did not fully satisfy me: but I supposed, that since all Religions have a Priest-hood, that somewhat of that kind was allowed them, and that since the Order of the *Jesuits* was invented in the Year 1540. by the *Pope* as a Poysonous Stumm to put a new fermentation into the Romish Ecclesiastical Rites and Discipline, which were almost dead with age; and like *vina vetustate edentula*, and quite dispirited with the Thunder of the Doctrine of *Luther*, and the lightning of Learning and Knowledg then flying through the World; and that that Order of the *Jesuits* was (as it were) a Court erected to begin with execution, and to confute gainayers by cutting their Throats, No *Jesuits* were permitted to officiate among those transplanted *Papists*, and considering that the *Priests* Natives of *Ireland* were the known fomenters of that Rebellion, that both *English* and *Irish* might rather consent to some Secular *Priests* bred in *Holland* or *France*, being employed in the New *Irish* Colony, and who had no knowledg of the *Intrigues* of the several Interests in that Country, and would not by kindred or relation to any of the great Families there perhaps be tempted into Factions.

I have heard from that Gentleman of *Mr. Peter Walsh* a *Fryar* in *Ireland* and of his endeavours in the Art of *Cicuration* of some of the Romish Clergy & Layety who there were Wolfes (and that without Sheeps cloathing) and reclaiming them to Principles and Practices consistent with civil society, and what proficiency his Disciples have made therein, I being^{now} a stranger to that Kingdom know not; but according to that saying, *bonus est quem Nero odit*, have the better opinion of him for those endeavours of his having been Crown'd with the *Popes* Excommunications.

It was a noble saying, I have heard of one of the House of Peers this last Parliament, *I hate not the persons of any Papists, but I am an enemy to Popery*: In like manner I should be glad that all the *Mercy* were shewn them that were not *Cruelty* to the Public; but they are to excuse any one that will not forget that

that when they begun the last outrageous Rebellion in *Ireland* (which no words need or can aggravate) they enjoy'd there equal Priviledges with the *English*, if not greater, the Lawyers were *Irish*, most of the Judges *Irish*, and the Major part of the Parliament *Irish*, and in all disputes between *English* and *Irish*, the *Irish* were sure of the Favour; and any one would be inexcusable to this Kingdom, who forgot that *King James's* unparalleled kindness to his Popish Subjects in suspending the execution of Penal Laws against them, in sparing their purses, in remitting the arrears of what they owed *Queen Elizabeth* for pecuniary penalties, nay giving into their hands what money of theirs as his due was in the Exchequer, was but the Prologue to their intended Tragedy on the Fifth of *November*. And what provocations they had to be ill wishers to the Life and Crown of the last King, as appeared by the detection forementioned presented to His Majesty by *Arch-Bishop Laud*, and a Charge given against them in Print by the Reverend *Dr. Peter Du Moulin*, which he offer'd to make good; and *ad quod non fuit responsum*, let any one Judge who further does look on the Parliaments Addresses in *Rushworths Collections*. And unless some of them had loved ingratitude for ingratitude's sake, they would never have enter'd into that Conspiracy against his now Majesty, whose Life is the delight of all Mankind but theirs: And yet since according to that expression, that God is not the God of the *Jews* only, but also of the *Gentiles*, so it being true, that the King is King of the *Papists* as well as *Protestants*, King of the *Irish* as well as of the *English*, and a common Father to them all, it may be worthy of His Royal goodness and a God-like thing in him to distribute to them all the Kindness that would not undo themselves and others, as the Divine bounty dispenseth itself to the Sinful, yet with respect to the Government of the World. And as the love of an Indulgent Father may be measured more by the kindness he would shew an obstinate son, (were he qualified to receive it) then by what he doth, who tryes all methods to reclaim him, by his Will Disinherits him, and goes down to the shades below without revoking such a Will, and yet in his life-time with the tenderest bowels and softest language he was constantly bemoaning that Sons being not a Subject fit or capable to participate in the Estate equally with his Brethren; Thus too may the love of the *Pater Patriæ*, and of the Country it self be demonstrated to these our obstinate Brethren, more by the Favour we do not afford them, then by what we do, having often seen the truth of what *Solomon* saith, that the *prosperity of fools destroys them*.

But, as I said before, I would be glad that the *Papists* themselves would try to find out what way of security the Wisdom of His Majesty and His great Council may acquiesce in, so that any bitter way may not be prescribed to them by public Authority, as perhaps this of Transplantation or some other may seem, and that persons of innocent Tempers and Principles may not be carryed off, with those of noxious ones, as all strong purging Physic dispossesteth the body of some good Humours as well as bad: and I therefore wish, that they may rather satisfy His Majesty that they have transplanted into their minds some such Principles as are to be found not only in Protestant but Heathen Authors to incline men to be *Gods* and not *Devils* to one another, (and those Principles growing in the Soil of Nature when transplanted into the mind of a Christian, are much more generous and improved, like the Vines on the *Rhine* transplanted into the *Fortunate Islands*) and whereby a *Protestant* King may Sit securely in His Throne, and His *Protestant* Subjects sleep securely in their houses, and walk securely in the Streets without fear of the fate of *Sir Edmond Godfrey* and *Mr. Arnold*, pursuing them upon a declaratory sentence that they are *Hereticks*, by a shabby *Consult* of a few ignorant *Priests* in

in a blind *Cabaret*, without citing them to shew cause why they should not be knock't on the head by Villains who account themselves the Popes *Sheriffs*, and at the worst that happens to them his *Martyrs*, a fate of Protestants worse then they suffered in the *Dog-days* of *Queen Maryes Reign*, (that *Canicula Persecutionis* as *Tertullian's* phrase is) for then they were not murder'd, but after a Tryal for their Lives and Liberty granted to recant at stake. Me thinks when they consider the Popes Decree made at *Rome* the second of *March* 1679. condemning some Opinions of the *Jesuits* and other *Casuits*, (the which in Latin and English was printed for *Richard Chiswell* at the *Rose and Crown* in *St. Pauls Church-Yard* 1679.) and see thereby that the *Augean Stable* of the *Casuits* being so full of Filth that it could hold no more, the Pope to avoid the scandal of the World, and danger to those Souls who by the practice of those Opinions were not at that time sent to the place from whence there is no Redemption, (though yet as the excellent Author of the Preface to that decree here printed judiciously observes, That the Pope treats those Opinions very gently and mercifully, and indeed doth not declare them ill in themselves, or such a Nuisance to souls that he could not dispence with) and when they likewise consider that most of those Opinions if not all were *Rules* allow'd by *Jesuits* or other *Casuits* for *Confessors* and *Penitents* to go by in the securing of the great concern of Eternity till that time, and that *Guymenius* with the approbation and permission of his Superiors in the year 1665. favours most if not all of those Opinions with a colourable gloss out of Councils, Fathers, School-men and Divines, and endeavours to throw off the *Odium* from the *Jesuits* for them, upon the whole *Roman Church*, they should now be so awaken'd as thoroughly to examine both those and other points in that Religion, supposing that some future Pope may declare the Souls left in the lurch that hold some other Opinions recommended to them by their Spiritual guides, without their having obtained a papal dispensation to hold them.

My Lord, though I believe your Lordship to have ever had as keen an Antipathy against *Caballing* with any *Papists* as good old *Jacob* shewed he had against that with *Simeon and Levy*, of which he said, *O my soul come not thou into their secret, unto their assembly, mine honour be not thou united*, yet their necessary applications to your Lordship in your administration of the *Privy Seal* and their voluntary recourse to the hospitality of your noble and constant Table, where any one in the habit of a Gentleman is allowed to be your Guest, giving you opportunities of discoursing sometimes with *Papists*, I suppose your advice to them to consult with one another in peace how to satisfy His Majesty, that all bloody Consults being by them abandon'd, he himself may enjoy the *Kings peace*, and we his Subjects enjoy that *Peace of the King* which his very Wild Beasts in the Forrest enjoy, (as I said before) and where any of the Inhabitants if they have lights in their Windows that may affright the Kings Deer are lyable to punishment by the Forrest law, and that we being delivered from the hands of our Enemies, may serve God without fear in holiness and righteousness all the dayes of our Lives, and not be in danger of being in the Kings High-way knock't on the head like *Weasels* or *Polecats* by base *Russians* not worthy to feed the Dogs of our Flocks; I say I suppose your Lordships advice backt with those reasons against Popery that you alwayes carry ready told, may especially at this time when the *ecce duo gladii* or two Votes of the House of Commons in the last two Parliaments cannot be forgot by any of them, occasion their offering that to the consideration of His Majesty and his great Council, that may render the Kingdom safe from any hostility of their Principles or Practises. Your Lordship hath one advantage in giving advice beyond most men I know, and perhaps no man

man is Master of that advantage more then your Lordship, and that is your advice to any of Mankind, is the advice of a friend; for both by your natural temper, and a habit that can plead the prescription of sixty years for its continuance in your Soul, and a sharpe edge of Wit and Reason to justify your claim to it, so it is, that you are in a constant readiness to shew your self a friend to every Member of that great Body, wishing his happiness as your own, extending the arm of your beneficence as far as it can reach, to the remotest object without hurting your self by the straining it, with a pitying Eye and a tender Hand, and forgiving Heart, guiding unhappy men out of the very Labyrinths they had brought themselves into by injuring you, accounting your mercy to be justice to Humane Nature, adorning greatness both in your self and others with goodness, in the case of the injur'd poor and weak making oft the great and the mighty asham'd of their oppression by your reason (and alwayes with Language as soft as the yoke they intended was hard) when you could not make them afraid of it by your power, and blushing your self for the degeneration of Mans Nature, when you saw any that shame could not divert from the turpitude of injuring their brethren of mankind, and by your compassion alleviating that burthen of the miserable that they had sunk under but by your Fellowship in their grief, and never dispensing either the Kings reproof or your own to offenders without moderation, and respect to the frail state of Humanity, and without that mixture of benign advice that gave the *Malheureux* a plank after the Shipwrack of their Fame, and very often running the hazard of drowning your self by helping to save those that were sinking in the Favour of the King and Court, and when their fate was such that all the rest of the herd avoided them as a wounded Deer. In a word they that know your Lordship know that by arguments hard to be answered and a softness of words and Temper almost inimitable you have Profelyted several *Papists* out of their pernicious Principles, and have taught them goodness by your example, and by your having that happy inclination that *Hillel* a Famous Jewish Doctor who lived a little before our *Saviours Incarnation* so well advised, Namely *Be of the Disciples of Aaron, who loved Peace, and followed Peace, and who loved Men, and brought them near to the Law.*

Your Lordship by your being so well vers'd in our Statute Laws and Histories is able to acquaint them with the Justice of our Ancestors in the making of many fresh additional capital Laws (for sanguinary they ought not to be called since ^{originally} just) against *Papists* upon the detection of several fresh horrid Treasons, & particularly those against *Queen Elizabeth* and *King James*, and that our Ancestors then having a great and violent indignation against Popery and *Papists* made Laws with the dread of the *Ultimum supplicium* therein, and further the anger of Man could not go. But it cannot scape your Lordships observation that the violence of Passion not being capable of lasting long in its highest rage how just soever and especially in the brest of an English Man and a Protestant, those hot Statutes made only (as I may say) a hissing like a little fire thrown into Water, and as to their Execution went out presently. Nor have I ever heard of any one that apostatiz'd from the Church of *England* to that of *Rome* who was as those Statutes ordain punisht as a Traytor, merely for so doing. And indeed since no Stratagems are to be used twice and especially such as did not succeed once, I am highly pleased that on the Discovery of the late detestable Plot there was so great a calmness in the minds, so general a smoothness in the brows of the people, such an universal Spirit of Patience forbearance and meekness every where visible in their Faces, even greater then that which shone in the Minds and Faces of the *Londoners* when with composed looks they saw their City newly made ashes, and had smelt the

the *Incendiaries* almost as soon as the Fire, that none can imagine but who as eye witnesses observed; And even on the fifth of *November* ensuing the Discovery of the Plot, the two excellent *Preachers* desired to preach before the House of Lords, and the House of Commons on that day when both an *Old* and a *New* Plot were staring the Nation in the Face, happen'd to be with the Peaceable *Genius* of the *Christian Religion* and of the People in that *Conjuncture* inspired in the choice of that same part of *Scripture* that was their *Text* and contain'd the calm yet severe reproof given by the *Founder* of Christianity to some of his *Disciples* that would have been Commission'd to call for Fire from Heaven to consume the inhospitable *Samaritans*, in one of which Sermons, namely that of the *Dean of Canterbury's*, 'tis for the Honour of our Nation and Religion by him observed p. 31. of the Sermon, that after the *Treason* of this day, nay at this very time since the Discovery of so barbarous a design, and the highest provocation in the World by the Treacherous murder of one of His Majesties Justices of the Peace, a very good man and a most excellent Magistrate who had been active in the Discovery of this Plot, I say after all this and notwithstanding the continued and insupportable insolence of their carriage and behaviour, even upon this occasion, no violence, nay not so much as any incivility that I have heard of has been offer'd to any of them. Thus far the words of this good and learned man.

He that loves not his Brother whom he hath seen, how can he love God whom he hath not seen? And the Religion that prompts them to destroy our bodies that they see, makes them fearless in the damming of our Souls that they have not seen, and even without giving us a minutes warning to make up our accounts with God, and that too perhaps for extravagant lenity shew'd to some incorrigibles among them, which was poor *Godfreys* case. But the calm temper of the Protestants to them upon the Discovery of the Plot not breathing out any Cruelty or new Severity against their Bodies or Souls shall alwayes endear to me the Protestant Religion.

And though those two great Votes of the House of Commons may seem severe to the *Papists*, yet are they warning pieces only if they please, and not *murdring* ones, and like the Arrows of *Jonathan* to warn *David* and not to hurt him; And indeed only to warn them not to kill *David*, and not to hurt themselves, and in effect a reasonable request or petition of two Parliaments to them only to make much of themselves, and like the lenity that accompanied the Divine threatening of *moriendo morieris* restrain'd to their eating of one tree, so that no Flaming Swords need fence up their way from the Tree of *Life* unless they please.

But though the Spirit of the people hath not on the occasion of the late Plot shew'd its angry resentments against the persons of the *Papists* by any outrage or rudeness, and though our Parliaments have not on that occasion as those in the times of *Queen Elizabeth* and *King James* made the Anger of the Statute Book to swell with many Acts of Parliament against them, they are not to infer that therefore the anger of the people diffusive or representative is over, but rather the contrary, from its not having appeared violent. And indeed as that heat of the body that is acquired not by an approach to a blazing fire, but gradually by gentle exercise of the parts is most lasting and most agreeable to its constitution, so is it with that heat of popular anger that is the Result of the exercise of mens mindes and of several laboured intense thoughts most durable and salutiferous to the body of the Kingdom. It hath been observed by a Man of no Vulgar intellectual Tallents *Mr. Philip Nye* (a Man indeed of great Sagacity in his Generation) as I find it in his Book called *Beams of former Light* viz. We know that in near a hundred years the Reformation gained little upon Popery and Superstition more then was gotten by

the first assault, nay it decay'd and Popery grew under it so fast as at last we were almost returned into the same condition that we were reformed from, and this (he sayes) may be the cause why the first Reformation prospered no better, there were the like severe, impositions and Laws made upon occasion of difference among the Protestants and then advantages were taken thereby, and many put out of the Muster-Role for Nonconformity who were of greatest courage and most faithful Resolution against Popery and Superstition the then common Enemy. The silencing and ejection of Ministers in Queen Elizabeths dayes, reformation being newly begun and the Enemies to it many, the friends and those that faithfully engaged few, was looked on by the godly prudent of that age as very unseasonable, yea tho their crimes had deserved it, because of the scarcity of Preachers at that time. There is nothing more frequent in our Suffering Brethrens writings that were then published against the Hierarchy then a bemoaning the great loss to the cause and people of God thereby. I will mention but one, considering the season (saith Mr. Parker) though we were worthy, yet should we least be deprived now when Popery riseth like the swellings of Jordan, yea maketh invasion like an Armed man, when there are wanting many on the other side in many Parishes to stand up in the gap against it.

Doth not the Canon Law it self spare depriving for greater faults when there is *penuria sacerdotum* & *quando utilitas ecclesiae exigit*. Thus far Mr. Nye, who whether he has assigned *non causam pro causa* or no, as to the Vigorous encreasing of Popery after the Reformation, I shall not say, and shall forbear even with the tenderest and gentlest hand to touch the sore place of the differences among Protestants till we are secured against the Rough hands of any *Esaws touching Gods Anointed*. Nor shall I now debate of which perswasion among Protestants should strike Sail to the others, till we have put off the Fire-ship that hath grappled us, but shall here say that I think one cause why the Protestant Religion hath not since its first assaults against Popery gained ground of it proportionably was what is necessarily incident to humane Nature, and even in the most generous, and particularly English Spirits after a great overflowing of passion to find in themselves the lowest ebb to succeed the highest tide, and our boiling blood to be the more dispirited afterward by reason of its former heat, and for us instantly to fall asleep when our spirits are taken off from the wrack that passion extended them on, and to try to recruit our spirits again by the passion of *Pitty* or *Shame* which we had wasted by that of *Anger*, like men that after one excess refresh themselves by another. And as the great expenses of War which is the passion of *Anger* raging in the body of a whole Nation, Necessarily at last end in a peace that continues till mens plenty blow them up into War again, so doth the spending and wasting the Treasure of our Spirits by *Anger* necessitate us into a quiet, that lasts till being thereby recruited we are again capable to take Fire from a fresh provocation and to trouble our selves and others; But as men grow older and wiser they grow abler to moderate their passion of *Anger*, and make it like Fire, not a bad Master but good Servant to themselves and the Public, not a Fire that acts as natural agents *ad extremum virium* and so as anger acts and rests in the bosom of fools (who are so far natural agents only as not guided by reason) but as in the Breasts of the Wise, where reason rests and makes all passions as its Messengers and Ministers, not unresembling what is said of the most High that he makes his Ministers a flame of Fire, and so by God-like men who love others like themselves, their passion of *Anger* is made like a Guardian Angel to themselves and others: and by thus according to that precept being angry and sinning not, the fire of *Anger* in the Protestants here against Popery having long been light and restless, is at last got to its proper Element where it doth not Levitate and where it hath no burning but only a purifying

purifying quality, and thus the *hatred* of the English Protestants against Popery maybe said to be as the Scripture expression is, *a perfect hatred*, being now come to its height and proper *Element*, which perfect *Hatred* to Popery, may always consist with a *perfect love* to Papists, and cinge not a hair of their heads more then a *Lambent Fire*.

But your Lordships particular Zeal in the promoting that Bill brought into the House of Lords and which there passed, namely *for the keeping Papists 20 miles from the Court* shews that there may be another cause assigned of the advantages that papists have gained in several junctures of time since the Reformation, and that is their having possess'd by artifices, such an interest at Court in the times of former Princes. The Papists chose then like *Spiders* to make their *Nests in Kings Pallaces*, and there to weave and spin their designs where the Roofs were too high for the Law to reach to sweep them away.

The *Nerves* in the head are no more in proportion or bulk then those in any other part of the body, and yet they are of far greater efficacy or *energy*, and give the Laws of motion to the whole body; and how far the Papists had the advantage of this position in the times of King *James* and afterwards, and how thereby they influenced the whole body of the Kingdom *Rushworths Collections* do enough express. Though the Papal Excommunication was then a *brutum fulmen* and the effects of it were ridiculous, yet the effects of their *aurum fulminans* and of the *sinistrum fulmen* as *Tully's* phrase is, and the *obliquy via fulminis* as *Seneca's* expression is were dreadful. Poor *Luther* could say *valde protestatus sum me nolle sic ab eo satiari*, Supposing that God Almighty had offer'd to give him Gold, but England had then those Protestants who protested that nothing but that would satisfie them, whether offered by God or the Devil. Notwithstanding the perfect zeal of those our Princes for the Protestant Religion, yet could their Royal endeavours no more eradicate Popery then the power of *Solomon* prevent there being in his time *nothing but oppression under the Sun*. And there was then another sort of Lightning that made its way into the hearts of some Subjects, and that was what was darted from the bright Eyes of Forraign Popish-Ladyes, and which was then very prevailing among some Favorite Courtiers, whose fancies *Englands* constant Magazine of Native Beauties could not satisfie, and by that vehicle of Generation was the poyson of Popery with more strength then conveyed to mens spirits.

I have heard of a Tutor, who seeing his Scholar reading a Learned Book of Geometry writ by a *Jesuit*, did with great gravity advise him to read only *Protestant Mathematicks*.

The History of *Balac* King of *Moab* is not unknown to any. He being afraid of the Power and Numbers of the *Israelites*, hired *Balam* a famous Sorcerer, and look't on as infallible in his *Benedictions* and *Curses* (as I may say) to *Excommunicate* them from the Divine Protection, and to anathematize them, who finding, that tho he had took his bribe to pronounce the sentence of excommunicating *Israel*, he was so Tongue-ty'd by Providence, that he could not do it; he was resolved he would not take his fee for nothing, and he contrives that subtle Stratagem to effect their mischief; and to devest them of that Divine Protection that was their greatest Strength, he gives this Council to the *Moabites*, that smothering their hatred of *Israel* with pretensions of Peace, the fairest of their Daughters should be sent among them to inveigle them with their beauty, first to Corporal and then to Spiritual Whoredom, Namely Idolatry; and that mischievous Counsel took with a vengeance, and as one of our *Reverend Bishops* in a printed Sermon on that Subject saith, *And now may Balac save his money, and Balam spare his pains:*
those

those two things will bring a Curse without the help of a Conjuror: and thus they brought themselves under that wrath and Curse which neither the great Neighbouring Princes by their power, nor their wisest Councillours by their Policy, nor Balam himselfe by his Sorcery, could bring upon them. It had been happy for them if they had kept to their *Israelitish Mathematicks*, whereby the design of that *Pagan Mathematician* had been spoyl'd. There was then another way by which Popery got ground (as some say) and gain'd power too, and that is by Papists obtaining preferment. *Cotton's Posthuma* mention'd in the last discourse there save one, that one of the late Kings Ministers had Ministers under him, who were *Popishly affected*, and that it was much talk'd of that he advanced such men in the Camp in places of nearest service and chief Command, and that the Papists had got of late years more of Courage and Assurance then before, and that by his Power.

I have not, my Lord, heard whether that *Bill* I mention'd about the hindring all papists from coming within 20. Miles of the Court passed the House of Commons or no; or if it did not, what obstructed it: But here I shall say, that I think it concern'd the Papists themselves to solicit the passing of that *Bill*, and to promote any Expedient that might make themselves and others safe and at ease in the World, by putting them in proper places, as accordingly we see in *Nature*, that the *Elements* do neither *Gravitate* nor *Levitate* in their proper places. And were I for my Life to give the Papists the best advice I could for their own preservation in the Kingdom, it should be their using all means possible to convince the world, that they affected nothing of a *Power* to offend Protestants in this Kingdom, that they aimed at no such thing, and that they had saved *Acts of Parliament* and *Proclamations* the labour of sending them away from the Court and our chief City, and that they did no more aim at Superiority over the Protestant Interest here contrary to the Laws in being, then the *Nation* of the *Jews* here doth, who think themselves safe under the Bulwark of the *Candor* of the *English Nation*. I remember I heard it from an eminent Person, that he being at *Constantinople* that several thousands of *Jews* were ordered by the *Grand Signior* to remove from one place in his Country to another by a time prefixt, and that he observing a little before they were to begin their journeying (and that all in a body together,) they desired that a *Janizary* might be allowed to conduct them and to guard them against any little insolences from the Boys and Children in their march, did to one of their *Rabbies* in *Constantinople* upbraid that foolish desire of the Thousands of his Country-men to be in that case convoy'd by a single *Janizary*, and that the *Rabbi* reply'd to him, That that was in them (as he call'd it) a wise piece of folly, and a design to secure the *Grand Signior* and his Vassals from any apprehensions of the *Jews* desiring power to molest them. *Aufer ut uterque securius dormiat*, was said by the *Stoic* to him that was taking away his Riches in the Night. I am sure I shall never repine at it, if ever there should be a *due* or *legal* relaxation of any penalties that may seem sanguinary in making their Purfes bleed, but shall be content with its being out of their *Power* to cut our Purfes or our Throats in *ordine ad spiritualia*; and tho perhaps to advise any *hot Spurs* among them to part with *Power*, may seem *durus sermo*, as much as cutting off a Right hand that has long offended themselves and others; yet if it shall appear that by that means they will secure all the *Hands* and *Hearts* of Protestants thereby for their defence, they will gain more then *Cent per Cent* in the Exchange, as those who in our *Saviours* time forsook Houses and Lands for him, did according to his promise gain a Thousand Fold by it in this life, by the Houses and Lands of all other Christians then being at their service. It is chiefly by the abrenunciation, the study'd and labour'd declining of *Power*, that the *Jews* almost

most in all Countreys Christian and Pagan are welcom Guests, tho yet by their frugal living they Generally under-sel the Natives every where. Mankind hath such a sharp regret against Plotting the Ruine of any company of men who are harmless and useful to the World, and in whom nothing but a Tame Humble quiet innocence appears, that on the contrary they study to be their Protectors, to be their Guards, their Watchmen, and men thinking God to be like themselves, they think such people are Heavens care too. Therefore in the 88th. *Advertisment of Boccalin's Ragguagli, the Sheep sending their Embassadors to Apollo, desiring that they may be allowed to have sharp Teeth and long horns, and not seem abandon'd by that Divine Charity that hath given offensive as well as defensive arms to hurtful animals, by whom they often Suffered, and sometimes by their very Shepherds who in Sheering them would cut their Skins, Apollo told them, that no Beasts were so much the Favorites of him and of men as they, for that whereas others with great anxiety were forced in the Night, the time of rest and sleep, to seek their Food, that they could not do with safety in the day, Men the Lords of the Earth bought at dear rates pasture grounds for Sheep, and that tho men did make Nets, feed Dogs and lay snares for hurtful Beasts, they employed Shepherds and Dogs to guard Sheep, and that no Shepherds could deal ill with their Flocks without being chiefly cruel to themselves, and that therefore their security lay in not being able to fright their Shepherds.*

Thus every one is naturally abhorr'd who attacks a Naked man, and from such a one Lions themselves either through fear or generosity have made their Retreat. The holy Writ affords us a memorable Instance of the Divine displeasure, in the 38th of *Ezekiels* Prophecie against Gog and Magog, who are there branded as the Invaders of a defenseless City, 'Tis there mention'd in v. 10th and 11th. *Thus saith the Lord God, it shall also come to pass, that at the same time shall things come into thy mind, and thou shalt think an evil thought; and v. 11th. And thou shalt say, I will go up to the Land of unwalled Villages, I will go to them that are at rest, that dwell safely, all of them dwelling without walls, and having neither Bars nor Gates; and in v. 12th, to take a spoil and to take a prey, to turn thy hand upon the desolate places, that are now inhabited, and upon the people that are gather'd out of the Nations which have gotten Cattel and goods that dwell in the MIDST (or navel) of the land.* But it then follows, v. 14. *Therefore Son of man Prophecy and say unto Gog, Thus saith the Lord God, in that day when my people of Israel dwells safely, shalt thou not know it? that is, thou shalt know it to thy sorrow and by thy bitter experience of my wrath, what it is to disturb my harmless and quiet people in the World.* The Comparing of the following 16th and 18th v. shew this to be the meaning of v. 14th. And I believe if any of the people of Gog and Magog were allowed by the Law to live apart by themselves, they might in any defenceless City be as secure from danger or fear of the *Protestant Israel* as they pleased.

It hath been well observed by a great Enquirer into humane Nature, That a restless desire of power after power that ceaseth only in death, is a general inclination of all mankind; and the cause of this is not alwaies that a man hopes for a more intensive delight then he has already attained to, or that he cannot be content with a moderate power, but because he cannot assure the power and means to live well which he hath present without the acquisition of more: And from hence it is that Kings whose power is greatest, turn their endeavours to the Assuring it at home by Laws, or abroad by Warrs. But as much as it is the inclination of the unthinking or brutish part of Mankind, that power should be like the *Crocodile* alwaies growing, the soberer few do know, that power will destroy it self if it shall be still ascending and hath not a Center wherein to rest and be quiet, just as fire would perish in nature and destroy it self

self, if there were not an Element allow'd it wherein to leave burning : And that therefore *Augustus* wisely designed a *Law de cohibendis imperii finibus*, And that the experience of Antient and Modern times hath taught the teachable part of mankind, That great Empires have sunk under their weight, and have lost the length of their *power* by the widening it; and that Kings whose power is greatest (as was said) sometimes turn their endeavours to the Assuring it at home by Laws, which by giving it some bound are like letters about the edges of our coyn, *Decus & tutamen* to it, the which makes it so Sacred, that 'twould be both Treasonable and Ridiculous to clip it, and that as the Bees by their King have given the world an instance in Nature of Kingly power, so they have likewise another of Kings governing by the power of Laws. 'Tis a common observation, That tho Bees are little angry fighting Creatures upon occasion, and leave their stings in the wounds they make, *Rex tamen apum sine aculeo est*, the King of the Bees is without any sting, and the curious work of the Hive goes on with a great deal of *Geometry*, and idle Drones are thence as it were *legally* expel'd who would there invade property. Nor need the King of the Bees (say the Naturalists) have a sting, for the whole Hive defends and guards him, as thinking that they are all to perish if their King be destroyed.

And this would be the case of the Papists, if they would be content so to part with the sting of their *Power* that it could not hurt either King or Kingdom, and might not come to lose it self by so doing, they would have the *Posse* of every County to defend them, they would have the Laws and the whole *Hive* of *English* men to guard them, the very Anger of the Protestants would be a defensive *Wall of Fire* round about them. 'Tis true, that wild *Animals* are by their constant fears of danger habituated to more cunning than Tame ones of the same species, but all their little cunning renders them not so safe as the great wisdom & protection of the Law doth the other; and ranging and out-lying Deer thrive not so well as those that are in the Forrests. And here it falls in my way to observe, that the Kings cautioning by the *Law* of the *Forrests*, that the Mastiffs shall have the *Power* took from them of hurting the Deer, may well insinuate into us the reason and equity of all our Laws that hinder its being in the power of a man to be a *Wolf* to another, and of the *Power* inherent by the *Law* of Nature in all Sovereign Princes to restrain any undue Power of Subjects from violating the Public peace. As the *Law* of God and Nature command both *Justice* and *Mercy* to be shewn to *Beasts*, so doth the *Law* of *England* provide that any mans person and Estate should be seized into the Kings hands in case of some wild cruelty to his *Beasts*; for he would appear in the eye of the *Law* an *Idiot* or a *Lunatic*, that should put his Horses or Ases to the Sword.

That which I mention'd of the Laws providing that the Mastiffs of any Inhabitants in Forrests shall not have Power to hurt the Deer, is called by the Forrest Law, *Lawing of Mastiffs*, or the *Expeditating them*, that is, the three Claws of their Fore-foot to the Skin are to be cut off; and thus they are to be *law'd* every three years for the preserving the Kings Game, and the peace of his wild *Beasts*. The Regarders of the Forrest are to make a *TRIENNIAL* enquiry about it & *tunc fiat per visum & testimonium legalium hominum & non aliter*, that is not Arbitrarily, there must be legal Judgment upon legal Testimony, and no *Dog* *law'd* without Judicial proceeding. This *Forrest Law* made in the time of our Popish Ancestors, did suppose; that the Kings Game could not be preserved, nor the Peace of his Wild *Beasts*, by the Dogs being then either *exorcised*, or their lapping a little holy water, or any *expedient* (as I may say) without *expedition*, which did *ipso facto* destroy their Power of destroying the Kings Game and the Peace of his wild

wild Beasts; and therefore that's the only *valuable Garranty* we can have from those who without *Law* and against *Law* would hunt down the King himself and his Tame Subjects, that the *excrecence* of their power should be *hambled* or *expeditated*: but the *modus* of this I do again say ought by them to be tendered to the Consideration of his Majesty and the *Triennial* Regardors of the Kingdom. I am sure 'tis worthy the consideration of us *English*, what the Learned *Frenchman Monsieur Bodin* tells us in his Book *de Republica Lib. 5. Cap. 6. Una est tenuium adversus potentiores securitatis ratio, ut scilicet si nocere velint non possent, cum nocendi voluntas ambitiosis hominibus & imperandi cupidis nunquam sit defutura.*

And now *my Lord* to give your Lordship a *home Instance* of Jealousie taking Fire in some meerly from the *power* of another to do them hurt, I will instance in your self at this conjuncture of time. The nature of *Jealousie* renders it to be a troublefom *weed* and yet such an one that growes in the Richest Soil of Love, my meaning is, that 'tis a *fear* of Love not being mutual when one doth *love* intensely with desire of being so loved. *My Lord*, in the picture of your mind that I have already drawn in this Letter, I have only done you a little right, and not at all favour'd you, and 'tis but Justice to you to acknowledge that the Protestant part of your Country hath a singular love for you, with a desire of being so loved by you; and 'tis in this *Critical* conjuncture of time that your *power* makes them *fear* the love not to be mutual. Your Lordship knows, that *fear* in people is an *aversion* with an opinion of hurt from any object, and they soon *hate* those things or persons for which they have *aversion*: and *fear* of hurt by *power* disposeth men naturally to *anticipate*, and not to stay for the *first blow*, or else to crave aid from *Society* and from others especially whose concern may be the same or greater then theirs, and who are their representatives, and to wish ill to those who make them sleep in armour, or to *stand* in the posture of *Gladiators* with their weapons pointing, and their eyes fixed on another, and to be still in *procinctu*, and all those passions sprung from the Root of Jealousie, as far as they exceed the bounds of reason, are degrees of *madness*. And tho mans life be a constant *motion*, and for the most part in both a Rugged way and near Precipices, yet during that *madness* men are still by their own Scorpions scourging it to make it *move* faster then the regular and intended pace of Nature, and injuring themselves with their passions, are content too to wound another through their own sides. And thus *my Lord* give me leave to tell you, That 'tis a kind of a *Complement* from people to a great good man of whose *power* and of whom they are *jealous*, when that it may be said of them, that they are occasionally *faln mad* for love of him.

One part of your Power, namely that wherein you are a Conduit-Pipe to convey the grants of Honour and profit from your *Royal Master*, the *Fountain* of Honour, 'tis possible for you to quit, and that with pleasure too, that you may have time to quench your great *thirst* after knowledge in that great collection of waters into which so many Streams of learning have met from all ages and Nations, I mean your vast and choice Library. And I may well suppose that your Lordship hath now that sense of *Greatness* and of *power* by publick Employment, that *Cardinal Granvel* expressed at his retirement from the same, *That a great Man is like a great River, where many sorts of Creatures are still quenching their thirst, but are likewise still muddying and troubling the Stream.* Your Lordship knows who said, that *actio est conversatio cum stultis, lectio cum sapientibus.* In the Scene of the busie World you are *necessarily* troubled with the affaires of men whose being born was *unnecessary* to the world, and there you are usually put to play at hard games well with ill gamesters, the jest that fortune playing in humane affaires commonly puts on

on the wise to spoil their busie sport : there you are sometimes deafen'd with Complaints of *Mimick Apes* and *grave Asses*, of *airy fools* and *formal fops* one against another : but in your *noble Library* you have the advantage of the *still Musick* of the Tomb, you have the *weight* of many dead Authors *making no noise*, you have *Socinus* and *Calvin* standing quietly by each other, and some Authors content with the dust of your Library who thought one Christian world not enough to trouble ; 'tis there you will avoid any trouble by *Authors* of *gilded outsides* intruding, nor be molested as now by *nonsense* in *fine clothes*. You cannot now quietly enquire after the fountain of *Nile* for the noise of its *Cataracts*, nor appease your *thirst* after knowledge otherwise then *tanquam canis ad Nilum* for fear of the *Crocodiles* of the World devouring you, nor have a view of the *tree of knowledge* without a *Serpent* of envy circled about it, nor have *time* to look on the pieces painted for *eternity*, nor to mind the *Eclipses* in the *Heavens* while you are preventing your own being *eclipsed* in the *Earth*.

But *my Lord*, there is another kind of *power inherent* in you, and that you cannot part with, such a power as *King Charles the first* in his *Eikon Basil.* affixes to the Character of his *favorite*, when he sayes, *he looked on the Earl of Strafford as a Gentleman whose great abilities might make a Prince rather afraid then ashamed to employ him in the greatest affaires of State*. Your very *Reputation* for *power* is *power*, for that engageth those to adhere to you, who want protection. Your *Success* in your past conduct of publick affaires is *power*, for it makes men promise to themselves good fortune while they follow you. Your eloquence that fastens mens ears to your lips is *power*. Your great knowledge in the *Law* whereby you possess that Engine by which you can be only attacked, and whereby you have that fastness, where one a-breast can keep down a Multitude, is *power*. Your *affability* and *good Nature* that endear you to so many, is *power*, and makes the *hearts* of men to be your *Pyramids*. And all these sorts of *power* in you, which make every party with you to be *theirs*, make up so bright a beauty in your mind, as may well cause *jealousie* in that party that by *loving* you, think they have Right to be again beloved by you ; I mean the English Protestants, who court you, and to whom you have so long engaged your self, and especially when they shall find their *Rivals* boast of the *kindness* you have for them ; and that too at such a time as this, when the Protestants seem to have the concern of one that is playing his last stake, and which only can make him fetch back all he has lost ; a *time*, when any one who pretends to a cold harmless neutrality, doth really intend an exulcerated hatred ; a *time*, wherein he that *is not with us is against us*, however it may have hapned, that in some *lazy conjunctures* when Papists and Protestants were half asleep both here and in the Neighbouring Continent, that then *he that was not against us was with us* ; a *time*, *cum non de terminis sed de totâ possessione agitur* ; A *time*, wherein as in that of the tempest that happen'd to the Ship that carried *Jona* among the heathen Mariners, we see almost all, namely the *Papists calling on their God*, and the *Church of England likewise*, and the *dissenters in the several persuasions on theirs*, with this difference, that no man is now asleep, but all in it are *waking*, some at work to save the Ship, and others to bore holes in it, as if they were concerned to have it cast away as being not owners in it, and as if they had secured their own merchandize in it which they purchased by the money they took up at *Bottomry* from *Rome* or its agents, and knew how to secure themselves in the *Cock-boat*.

We have had dull and lazy conjunctures of time heretofore, insomuch that many years ago a *Divine* seemed to begin a *Sermon* on the *Gun-powder Treason* day before a great Academick audience, as it were yawning and in his
sleep

sleep with these words, *Conspiracies if not prevented, are rather dangerous then otherwise*: And thus the ingenious *Comedy* tells us of a *Hero*, that as he was in the height of his *passion* with the greatest zeal making *Love*, instantly dropt down into a deep sleep; but 'tis no time for *yawning* when the Earth begins to *yawn* under us. And tho times have been heretofore influencing the Protestant cause like the *Sun* in *March* that could only raise the *vapors* of *Popery* in the body of the Nation and not dissipate them, 'tis now supposed to be otherwise, and as I have heard that the *Earl of Hallifax* in his *Speech* in the house of Lords having spoken of his hatred to *Popery*, excellently well added somewhat to this effect, *And we may now exterminate it if we will*. And therefore with that now, I think the *ecce nunc tempus acceptabile festina & salvare*, may be applyed to the Kingdom. And if as the *School-men* tell us, *Angels* may dance upon the point of a Needle, we may imagine many both good and bad ones dancing on *this point of time*; 'tis on *this* moment the Nations eternity depends. Every one now is as good a *Conjurer* as *Friar Bacon*, and can make a Brazen head say time is; by which words I believe the learned *Roger Bacon* meant only, that in the vessel of Brass wherein the exquisite chymical preparations for the birth of gold were laboured, the nick of opportunity was to be watched under pain of the loss of all the fire and Materials, and art and labour, according to that of *Petrus Bongus*. *Ibi est operis perfectio aut annihilatio, quoniam ipsa die immò hora, oriuntur elementa simplicia depurata quæ egent statim compositione, antequam volent ab igne*, as I find him cited by *Brown* for it in his *vulgar errors*, where he further saith, *Now letting slip this critical opportunity, he missed the intended Treasure, which had he obtained, he might have made out the tradition of making a brazen wall about England, that is, the most powerful defence and strongest fortification which Gold could have effected*.

My Lord, my opinion was askt in a letter from a very honest Gentleman and much your Lordships Servant, Whether you should not do your self and your Religion a greatdeal of Right, by printing in this juncture some of the excellent and large discourses you have formerly writ against *Popery*? and the substance of the answer I gave him was to this effect, That tho I would not diswade your Lordships now publishing any thing relating to the tenets of that pretended Religion that might import Protestants to understand more cleerly then they did, in which way they have been advantaged by the Bishop of *Lincoln's* Book against *Popery*, yet that I thought the great bulk of *Popery* could no more be destroyed by notions and arguments, then a *capital Ship* could be sunk with *bullets*, for that supposing they did all light between *wind and water*, the Papists have thousands of Plugs ready to be clapt in there, and thousands of men in that great vessel ready to apply them, and tho I thought there was a time for writing of Books, it was when there was a time for reading them, that is, when people had time to read them, but that now the most curious works of *Whiteakers*, and *Jewels*, and *Rainoldses*, would be no more regarded, then attempts of shewing the *longitude* would be to Navigators while under the attack of a Fire-ship as I said, or while they were making their way through the body of an Enemies Fleet. I know that 'tis said to be an old *Sybilline Prophecy*, that *Antichrist shall be destroyed by paper viz. Antichristum lino perituum*, but alas, that way is now as insignificant in the case, as to think that the dominion of the Sea can be built up by *Seldens Mare Clausum*, or destroyed by *Grotius his Mare Liberum*, or any way but by *thundring Legions* in powerful fleets.

Indeed our paper pellets that the press since its licence hath shot against *Popery*, I mean the innumerable little *sheet-pamphlets* that have come out against it may find time to be read, and to give us diversion, but the Papists looking on their Church as a great *First-Rate* Mann'd with *Popes* and *Emperors*, and *Princes*, and *Fathers* and *Councils*, and innumerable Souls there embarked

embarked in the Sea of *time* for the great Voyage of *Eternity*, do account our little Protestant honest *Sheet-authors* firing at them daily to be only like the *Tacht-Fan Fan's* attacking *De Ruyter*.

But my Lord, there is another Reason why a person of your Lordships great Power and Abilities should not at this time embarrass your self with writing, No not those defences of your innocency, which yet perhaps may be necessary to be done for the use of those who know you not hereafter when the heat of the day and your Services in this critical juncture shall be over, and would now shew as meanly as if a *General* in the *time* of *Battel* having some dirt or dust lighting on his face, should while he was among the bullets employ his barbers washballs to cleanse it, and that too when the fate of the battel seems to *totter* and is near decision one way or other, and while there is hardly room for the *Quid agendum* to wedge it self in, and *he that saith consider is almost a foe*, (and therefore once when a great *Commander* had no way to save himself and his Army but by their swimming with their horses through a River to attack their Enemy, he did only to that question of *quid agendum* put to him by his Officers, suddenly eccho back the reply of *agendum*, and with his horse took the River) and while now 'tis with us as on board a Ship in the time of Fight, or of a Storm when they are Fighting with the Elements, and the Master or Steersman orders any thing to be done, the case will bear no dilatory answer of words, and the answer there is, *Done it is*; I say, after all this, that there is a reason which in my opinion renders any mans writing unnecessary now either to the World or himself, and that is this, That words and Language the which formerly having the stamp of common usage and of reason on them passed as currant coine for the Signification of mens minds and as a *medium* of commerce, are in this juncture as useless that way, and of as little value as lether coine called in: and this Age wherein both the *word* and *thing* called *shamme*, hath been brought in use, and *shamme* calls it self an answer to that great question, *What is wit?* tho with as little reason as if a lye should call it self an answer to that old great question, *What is truth*, hath inforced those that do not love to be *shamm'd* upon, not to measure mens *actions* by their *words*, but their *words* by their *Actions*. And tho a mans written *books* are called his *works*, yet have I observed an occasion of *Sarcasme* given thereby, when one speaking of a particular *Divines* excellent *writings*, said he loved his *works*, but hated his *actions*. And written *works* are now indeed but actings as when a man doth *agere gestum in scena* on the Stage of the *World*, and for them he finds but only a *Theatrical* applause, Nor so much as that, when like the *Actor* crying *O heavens*, he looks down on the *Earth*.

As he is alwaies accounted but a smatterer in knowledge who is a *pedant*, or *petty-Chapman* in words, so he playes but at small games in *politicks*, who is a *pedant* or trader in words, or who indeed will give any thing for them. He who doth *verba dare* has *bad morals*, and who gives any thing else for them has *bad intellectuals*, and according to that old *Monkish* verse they said,

Res dare pro rebus, pro verbis verba solemus.

The only *real security* therefore that the World hath for its *quiet*, is mens only giving a *seeming belief* to *seeming professions* and *protestations*; for as *Ayr* out of its place makes *Earth-quakes*, so if the *articulate air* of mens words gets beyond my *hearing* into my *belief*, it may there raise those commotions of passion that may make me trouble both my self and the World, and particularly by the passion of jealousy before-mentioned, on my desire where I have a kindness that it should be mutual, and when positive words brought me into the fools paradise of believing it possible, a thing perhaps not possible in nature, that two bodies and minds whose faculties must needs be different, should have an equal intenseness of love for each other, no president of friendship

ship, particularly that of *Jonathan and David*, having shewn it, and in the conjugal love the passions of the *weaker Sex* being observed to be the *strongest*, and that of jealousy as well as Love, jealousy particularly being most *potent* in minds most *impotent*, and in persons most diffident of themselves. And this may in some sort *console* your Lordship after all your restless endeavours to merit the love of all your Countrymen if it be not exactly mutual. But this by the way.

The great names of *Protestant* and *Religion* began to adorn each other in the year of our Lord 1529, when some of the *Electors* and *Princes* of the *Empire* with a *protestation* opposed the *Decree* relating to the *Mass* and *Eucharist*, made at *Spiers*, and when some of the *Capital Cities* of *Germany* joyn'd with them to *protest* the same thing. But every one knows that a *protestation* is a revocable thing, and that a *Protestation contrary to actions revokes it self*. And that the word *Protestant*, hath not been in the World as the Poets term is of calling grass green, or the like, *otiosum epitheton*, I believe the Papists will grant: and 'tis not one *Protestation* made and not revoked either by words or actions, that can make that term consistent with our Religion, or render a man worthy to be call'd one. 'Tis not a good continual claim to our Religion that yet is for land we are disseis'd of that is made only once a year whilst we live: No; the *Protestation* that the *Protestant* Religion requires, is such a continual one as is reiterated, upon every fresh act and attempt of the *Papal* Religion against ours; 'tis not a going to our Cells, and saying, *Lord have mercy upon us*, but 'tis our watching in our Stations, and our shewing no mercy to the principles of Popery that are alwaies attacking the quiet of the World either by Storm or Siege, or undermining; 'tis like the *Protestation* required when the defendant hath declined a Judge, that must be made *toties quoties* as any new Act is done by the Judge, without which the first *Protestation* grows insignificant: 'tis not one Act of *protesting* the *Popes Bills* of Exchange for good money we paid him, and his giving us *bank-tickets* upon purgatory, or giving us some fantastick Saints pretended Hair or Nails (*protested* with so much scorn by our Popish Ancestors in *Henry the 8th's* time, that a piece of *St. Andrews finger* covered with an ounce of Silver pawn'd by a Monastery for forty pound, was left unredeemed at the dissolution of it, which shewed that that commodity would even then yeild nothing, and was a meer drug in *Scotland* (of which Country he is call'd the Saint Protector) but 'tis further like a *protestation against the Sea* at the next Port made *toties quoties* goods in a Ship are damnified by its rage, which the law requires the *Skipper* to make, or else leaves answerable for the damage. And if a poor *Tarauling* who must alwaies plough the Sea for his bread during life, and there still contest with the angry Elements, shall when he comes on shore by a *protestation* bid defiance to the *pride* of the whole *Ocean*, he deserves not the name of a *Hero* that Safe-guarded by both the *Land* and the *Law of the Land*, shall not on occasions offered continually have the courage to *protest* against the damages both his King and Country have from the *Rage* of Popery. My Lord, I have been the longer in discoursing of the insignificancy of words, or indeed ought, but the *emphasis* of works requisite to shew a *Protestant faith* at this Juncture, because I am sure you are willing (as you may well be) to *joyne issue* on that point, and to be judged a *Protestant* in *mans day* by your works, as you must in Gods stand or fall by the *Test* of them, at the last *Audit*, and to appear a *Protestant* too by works above the poor level of a dull *opus operatum*, by works that represent the continual employment of your life with an Heroical vigour, and your going from *strength to strength* (as the Scripture expression is) in the defence of *Protestancy*, by works that speak you like the heavenly bodies incessant in your influence, and having rest only in *Motion*. 'Tis not without wisdom ordered by the *Pope*, That

no men shall be *Cannonised* till after *death* for fear of *Apostacy*; nor then likewise, unless it shall appear that they wrought *Miracles*. And the truth is, our people were all so far born with *Popes* in their bellies, as to this point, that they will not now *Cannonize* any Great Men for *Protestant Saints*, unless at this time they do *Miracles*; and indeed I think they have reason to insist on their doing as great *miracles* for our Religion, as any *Papal Saints* dead or alive have done *against* it. And when I consider the real Great Things that have been by the heads and hands of your Lordship and other Noble Persons performed for the *Statuminating* of the Protestant cause, and enabling us to say to our underminers with the confidence of the Psalmist, *As a bowing wall shall ye be, and as a tottering fence*, I do think you may expect with Justice that which is greater then our praise, the acclamations of our *blessing*, as *Aristotle* saith, *that to heroick qualities in men not praise, but pronouncing blessed is due* (*ἐκ ἐπαινῶν μὲν ἀλλὰ μακαρίζου*) and as *St. Paul* saith, *it is more blessed to give then to receive*.

And here, my Lord, going by this exact Rule of measuring things by things, and not by words, your Life hath enabled me to give the strictest *Areopagus* of Censurers the world can produce, and who would damn the use of Proems and the art of moving passions by words, an irrefragable instance how you have secured the Nation formerly from being enslaved to and by Popery, and at that time when we seemed to our selves as secure from it as from *Mahumetanisme*, which was when you were the great Conductor of the Publick Councils in the Conjunction that brought in the King, and hindered *Lambert's* usurpation of the *English* Scepter, who tho at that time he was not generally suspected to be a *Papist*, was on very rational grounds believed to be such then by many very knowing particular persons; and that too to be not only a *Papist*, but a *Jesuited* one. He was at that time suspected by some for having advised at a military cabal of the then great ones that the Cavaleers should be Massacred, a cruelty that could enter into no breast but one abandoned to Jesuitisme. And as on such a *Monster* your Lordship then had your eye on him: and of his being such some of the *depositions* and *examinations* took about the late plot have been ^{thought} very particular and satisfactory. Nor is his having petition'd some few years before the discovery of the late Plot, That he might have his Liberty, and of a very great Roman Catholic Lord's having then offer'd to be security for his quiet demeanor, Now unknown, so that the Kingdom then scaped falling into Popery before the danger was by it apprehended; like the Man who in the *Night* scaped that of *Rocheſter Bridge*, and whom the light of the following day almost confounded with his *deliverance*. Your Lordships activity and prudence appearing in the *public* Councils and in your *Secret* correspondences, to the defeating of the councils of that *Romish Achitophel*, and seizure of his person, will no more be forgiven you by ^{some} the *Papists* of *England*, then it either by the *Papists* of *England* or *Ireland* will be forgiven or forgot that you shew'd your self a true Father of your Country in *Ireland*, in the Conduct foremention'd of that great Affair of the Metropolis, and many Garrisons of that Kingdom being wholly put into the hands of the Parliament, rather than the Child (as I may say) should be divided between any of his Majesties Subjects, and the Pope the pretended supream Father of that Country, and that you preserved it to come into the hands of the true Supream One.

Your Lordship and other well-wishers to the Crown then were not of the humour of some of our young vulgar Protestants, who as the *Papists* parrots, have been by them taught to speak it commonly, That they love a *Papist* better than a *Presbyterian*. 'Tis sinful not to love the persons of both, but ridiculous to love the Yoke of either opinion; and it seems his late Majesty

Majesty of glorious Memory, and his Councel, and his noble Lieutenant of Ireland, and your Lordship thought it safer for the Crown, for Ireland to be trusted with that sort of disobedient Children that depended on no forraign Ecclesiastical Head, then on such as did. And it is to be acknowledged to your Lordships care of the freedom of your Country, that when you sat in the long Parliament till you and other Members thereof were torn thence by Cromwel's Souldiers, you crusht the *Jure-divinity* of *Presbytery* in the Egg by its being ordered to be settled only for three years, so that it saw it was to be *expeditated* at the end of *three years*, and had no power to trample upon the consciences of others, and in effect had but a *tolleration*. I think that no Church-Government at all is better then that rigid one of *Presbytery* intended then by some Zealots. As the good and learned *Dean of Canterbury* said in his *Sermon on the Fifth of November* before the House of Commons, That as to Popery, *twere better there were no revealed Religion, and that humane Nature were left to the conduct of its own principles and inclinations, then to be acted by a religion that inspires men with so wild a fury, and prompts them to* ^{revealed} *commit such outrages, &c.* and there renders Popery worse then Infidelity or no Religion, *and so indeed in fact* the Kingdom had then *no Church-Government* paramount at all in it, and instead of the imagined fierce pedagogy of the *Scotch Presbytery* that made every *Levite a Rabby Busy*, every *Pulpit Rhetor a Consul*, and every *Lay-Elder Major General* of the *Parish*, we had a tame insignificant Government admitted only to probation for three years, and were no more hindered of the freedom of a Gentlemans Conversation thereby then by the Government of the foremention'd *Presbyter John* in the *East*, and *England* was then not only free from the charge of *Peter-pence*, *Legatine levys*, *oblations*, *contributions for the Holy Land*, and both charge and trouble from all the *Papal Courts* and *Masses Anniversaries*, *obits*, *requiems*, *dirges*, *placemos*, *Trentals*, *lamps*, but from all *contumacy fees* in spiritual Courts, and from those Courts themselves of which yet the yoke is very easie compared with either that of the *Papists* or *Scotch Presbyters*; and our condition, as to ecclesiastical discipline, was like that time or *conjuncture* of liberty, that *Father Paul* in the *History of the Councel of Trent* refers to, speaking of the time when a certain custome prevailed, saith, *il, che come e un uso molto proprio, diove si governa in liberta, quale era all hora quando il mondo era senza Papa*, That it was a custome very proper where they governed with liberry, which was when the world was without a Pope.

I never heard of any man that was gored with the horn of our *Presbyters excommunication*; nor of any dissenter from them, that was tyed up for them out of their horn of plenty of Church power to force a drench of *Doctrine* down his throat, and much less of any dealt with in that way mentioned by *Spotswood*, in his *Observation*, that the *Devil would not be feared but for his horn*, referring to the *horning* in Scotland; that is, the seisure of all a mans goods when the horn blew, after he was excommunicated by the *Presbytery*.

There is no doubt but that some of the Divines of that persuasion were brib'd to it by an expectation of power to oppress, when that the great Revenues of the Church were denied them; And thus the *Pope* keeps his Guards in *Rome* only with the pay of *priviledges*, but instead of their riding the People, the Parliament rid them, and with that caution as they of old did who rid on Elephants in battel, which great animal being observed to be then unruly sometimes and to endanger both the riders and their camp, and it being known that their receiving a Contusion in one part about their head, would presently dispatch them, their riders had alwaies a hammer with them ready for that use on occasion.

He therefore that saith he loves *popery* better then the Government of *Presbytery* as it was *de facto* settled or rather permitted in *England*, and when they that would have its maypole for them to dance about had it, and those that would have none, had none, saith that he loves a fiery and tormenting furious Church-Government that would make *Mount Sion* to be still belching out fire like *Ætna* better then none at all: that he loves a *Hirricane* better then being a while becalm'd: that he loves the Church government that was like *coliquintida* in the pot, rather then that of the *Presbyter*, which was here but like *Herb John*, and that he fears a *Mastiff* who was not only *hambled* and whose *jus divinum* was *lawd*, and whose spleen was cut out by the *State Chirurgeons* more then an incensed hungry *Lion of Rome*: that he likes a Government better that at best is like a *Peacock*, that is all *Gaudery* and *damned Noise* and nothing else except *pede latro*, that is, all Ceremony, and devouring all with ceremony, then a Government that with its looks can neither allure nor fright, and which we could pinion as we pleased, and play with till we could get a better in its Room. Whether a *Papist* was to be loved better then a *Puritan* was a vex'd question in the time of *Queen Elizabeth* and 'twas resolved then in the affirmative only by the Pensioners of *Rome* and their dependants.

The Learned Author of the Book called *Certain considerations tending to promote Peace and good will among Protestants*, doth in p. 13. quote our famous *Gataker* for relating that *Dr. Elmor Lord Bishop of London* in *Queen Elizabeths* time, when one in a *Sermon* at *St. Pauls Cross* inveighing against *Puritans*, rendred them worse then *Papists*, sharply contradicted that censure, saying, that the Preacher said not right therein, for that the *Puritans* if they had me among them would only cut my rocket, but the *Papists* would cut my throat, and that his Successor *Dr. Vaughan Lord Bishop of London*, when another in the same Pulpit too shew'd the same eagerness in representing the *Puritans* worse then *Papists*, expressed the same sense with his predecessor concerning it, and wished that he had had the Preachers Tongue that day in his Pocket. It was (it seems) then the good fortune of *London*, to be blest with Bishops renown'd for their great zeal for the Protestant Religion, and with such a one it is at this time enriched and dignified. I will not say *Bishop* of it only by *divine permission*, but *miseratione divinâ*, the Style I have seen of Bishops in some antient Instruments, 'tis out of the *Divine Compassion* that such an eminent Protestant City has such a *Prelate*. Nor do I intend by the just praise paid to this great and good man, to lessen the worth of others of the *Fathers* of our Church, of which number I have the honour to be acquainted with others who endeavour the extermination of *Popery*, with as couragious a zeal as can be wisht, and no doubt but the text of *Scripture* in the Title of my *Lord Bishop of Lincolns* book, namely, *Come out of her my People lest ye be partakers of her Sins and Plagues*, is by the whole Church of *England*, lookt on as a seasonable alarm, and no doubt many of this our Church who have writ with so much various learning and strong Reason against *Popery*, know that if that ever be *de facto* and by law paramount, the Church of *England* will be *ipso facto* crusht thereby out of all its visibility. The thought of this brings that *Scripture* to my mind, viz. *Matthew 21 v. 44.* and who soever shall fall on this Stone, shall be broken, but on whom soever it shall fall, it will grind him to powder. And if the Church of *England* by only falling *super hanc Petram*, I mean heretofore by the Empty Project of some for the Uniting *Rome* to us, was broken and disjointed, therefore if ever it shall come under the Stone of the *Roman Catholic* Religion, and it be thereby made possible for the Stone to fall on it, the Church of *Rome* will then grind it to powder. Its former falling on the Rock could only break it into the pieces of *Presbyterian* and *Independent*,
and

and other *seperate* Churches, but that *Rocks* falling on it will not *break* it into *pieces* but grind it to *powder* as was said; and perhaps Papists then from this place of Scripture would form as good a *title* by *divine right* to *crush* our Church, as they did from the *super hanc Petram* in the 16th of Matthew for the *building* of theirs. But this by the way.

And now putting the Question who are to be loved best, either the Popish Priest and Levite that help'd to wound Ireland formerly when it fell among Thieves and Rebels, or those compassionate Samaritans who put it on their own Beast and poured Oyl into its Wounds, and took care of it till it was restored to its true Owner? I suppose a Protestant will say the latter, and will account that no fire should be called to fall on the heads of such hospitable Samaritans, and that others should be spared, who instead of pouring Oyl into our Wounds, did it into our flames when they burnt our Citie.

papists

Your Lordship hath shewn your self a compassionate Samaritan to Two Kingdoms to which your healing principles and practices have been beneficial, and in this you have out-done him in the Parable who did not stay to see the effects of the gentle Medicaments of Oyl and Wine he bestowed on his Patient's Wounds, but your Lordships long attendance on the affairs of the Public brought you to see the Languishing Kingdom revived, and to have at once both its Head and Senses restored when Providence made our Sovereign to be his repenting Peoples choice. But, my Lord, these Kingdoms have not yet done with your Skill, and may have Wounds that require your Wine and Oyl, the Lyons Heart, and Ladies Hand; I mean such Tenderness and such Courage, and so great Judgment as you have formerly shewn. A Raging Acute Disease that hath been long not only besieging but storming a mans vital parts, and with extream difficulty at the long run repell'd by Nature, doth yet commonly leave such dregs in his spirits that depress and enfeeble them in the remainder of Life, and a man come to himself after a long madness, labours still under a dejection of his spirits both by grief and shame, thinking of the arrear that he is into God, the World, and himself, by his former madness: and this is the present state of England after its former state of distraction; and men with shame now look on their former Physitians, and some are apt with that Merry Mad-man in the Poet, to be angry with those that took pains about their being cured. 'Tis true indeed, the Kings Restoration cured us of our Civil Wars, yet may a man be cured of his Wounds, and afterward dye of the Feaver his Wound put him into; and our condition is such, that 'tis some degree of Heavens Mercy to us, that our Feaver is continuing, for no man can dye in a Feaver, as no man can dye without one: And our spirits are so sunk under the weight of the Disease we have long languisht under, that our Stomach cannot endure any Cordials, or especially the same long: & certainly that strong Physic that would at first have cured us, would now kill us. Yet now in this conjuncture several of our Political Physitians seem by their retirement to have given us over, as if they were of Hippocrates his mind, who said, that a Physitian should not discredit his generous Medicaments by employing them on a desperate Patient.

Methinks 'tis pity that any of our Pilots should quit the Helm in a Storm, and that they should not (as Cicero's expression is) *Sententiam tanquam aliquod navigium ex Reip. tempestate moderari*. Those words in Prov. 1. A man of understanding shall attain to wise Counsels; some read, *Vir sapiens gubernacula possidebit*; I presume not to Censure any man, but I hope that no cross Winds will ever make your Lordship leave the Helm, but rather invite the continuance of your Skill in beating and tiding it out (as the Sea phrase is) and in not overshooting the Port. Your pacific Genius and great Wisdom have in several angry conjunctures

junctions produced an unexpected calm by your offering unexpected *Expedients*, a *Talent* that is indeed very *rare* and conducive to the quiet of the World, as leading Potent Parties from their declared Opinions without the shame of a seeming retreat.

It happens still in Navigation, that what makes the Passenger merriest, makes the *Steers-man* most thoughtful, Namely the sight of Land: And therefore tho I and others who *make no figures* in the government of the Kingdom seem to be glad at our *sight of land*, that is the extermination of Popery from *England* after we have been so long *nauseated* and Sea-sick with it, yet 'tis now our occasion for the skill of such a Pilot, as your Lordship is greatest when we are endanger'd by some Protestants of narrow Spirits and Principles as by *Shelves* or *brevia & syrtes*, shallow waters, and by little Rocks or *breaker's* just covered with water and which are only to be discovered by the swelling roughness of the water they occasion. It has pleased Divine providence to cast your Lordships whole life of Action into *difficult times* such as are called in the New Testament *χέρινοι χαλεποι* and translated *perilous times*, And such as *Cicero* calls *Maxima Reipublicæ tempora*, and *difficillima Reip. tempora*. Your life hath been a continual contestation with principles pernicious to man-kind, and you have been under your Prince a *Nutritius pater* for the most part to men who have like froward and unquiet Children been *crying* for each others *property* in things civil, and in Religion, and have thought themselves *persecuted* when they could not *persecute* others; Nor have you been *too much* a *Latitudinarian* as to Church discipline, Nor of *too narrow* a *Spirit* or principles as to any Protestant *Dissenters*. And I think Envy never charged you for giving any advice that tended to the injuring the *ballance* of Christendom, or the power of *England* in settling it, or the persuading us to love some of our Neighbours better than our selves. You are so far from *offending any weak brother*, That you are ready with the Apostle rather to *abstain from eating flesh while the World stands*, and therefore will much less kill or devour him, and lest of all will you offend a *weak Brother-Protestant Country* or help any else to devour it: and will not injure any of those Countreys that you visited abroad (when the world and you saw one another) by projecting their Mischief. And therefore as I find in the *Prolegomena* of *Grotius de jure belli & pacis* that *Themistius*, speaking to *Valens the Roman Emperor* he told him that *Kings if they would be guided by the Rule of true wisdom they must non unius sibi creditæ Gentis habere rationem, sed totius humani generis, & esse non φιλομαχέδονες tantum aut φιλοπόμαιοι sed φιλόανθρωποι*, so it may be justly said that the *Counsellors* of *Kings* should alwaies *advise* them, not to take care only of the concern of their own people but of the happiness and quiet of all man-kind, and not only to be *lovers of the Macedonians*, or *lovers of the Romans*, but to be *lovers of Men*. I never heard your Lordship reproacht for having any interest contrary to that of your Country or indeed to the repose of Christendom. And as in Nature we see all heavy bodies tend by their *own Center* to the Center of the *Universe*, so have I still thought that your Lordship alwaies endeavoured by the pursuing your own good to pursue that of the Kingdom, and that your endeavours of promoting the good of your own Country have tended to the good of the World: And that in every Scheme of your Politicks whether Civil or Ecclesiastical pollicy you have took your *Model* from the *Great Architect* of Nature doing things *fortiter* and *suaviter* and with regard to his works of which 'tis said in the 8th of *Wisdom*, *Mightily and Sweetly doth she order all things*.

And he that builds so, is a *Workman that need not be ashamed* either of himself or of his work, that is both strong and fair: such a *Councillor* need not

not be ashamed of his *Council*. 'Tis one of the worst sort of Reproaches to which a Councillor at Law can be exposed, to be called a *crafty Counsel*, that is, one who secretly gives advice for the perverting of Justice and the law; and to do that vile thing is more odious in a *Counsellor of State*: And of this subject when I formerly discoursed to your Lordship, I remember you were pleased to say it of your self to me, That you had a great aversion from giving *whispering Council*, to your Royal Master, and that it hath been your humble motion to him, to command his Council to give him their advice in writing.

Your Lordship is by one particular accident a necessary subject for the Worlds compassion, namely by your having out-lived most of the eye witnesses of the many memorable things you have done for the World. If the people of *England* your Contemporaries were *six Millions* at the time of your birth, *five* of those *Millions* are now lodged in graves, persons above the Age of *Sixty* making but a *sixth part* of Mankind. I reading lately in *Tully de Senectute*, was pleased with what he saith of old men both *de facto* & *de jure* praising themselves: he saith there, *videtisne ut apud Homerum sæpissimè Nestor de virtutibus suis prædicet? Tertiam enim jam ætatem hominum vixerat*: he had lived almost 300 years when he went with the other Grecians to the *Trojan War*, and where he gave such weighty advice, that *Agamemnon* said he should make quick work of the taking of *Troy* if he had ten such Councillors as *Nestor* was; *Quod si acciderit non dubitat quin brevi Troja sit peritura*. He never wish'd, saith *Tully*, to have *ten Ajaxes*. It seems the General thought that an old Commander would be weighed down with a *tenth part* of an old wise Councillor. But *Nestor* had bury'd all those *thrice* over who were born with him, and he lived to see his Country-men doubled once and a half (200 years being the space judged for a Nations doubling) and if he would have his Atchievements in his *first Century* Celebrated and witnessed, he must be his own Herald and witness in his own cause. I will not apply *Nestors* case to your Lordships, as to your doing right to your self by praise, for you have no more occasion to do that then *Tully* had who saith there, *Nihil necesse est mihi de meipso dicere, quanquam est id quidem senile ætatique nostræ Conceditur*: But do think that any Protestant Prince who can say he hath ten such Councillors, and resembling your Lordship in the experience of near *fifty* years spent in the affairs of *State* in *critical* times, and with success, and equal to you in all sorts of Learning, and in the knowledge of the *Law* and publick *Records*, and in Eloquence and Courage, as well as in the hatred of Popery, he may add, *Quod non dubitat quin brevi Roma sit peritura*. i. e. without such dilatory *Troy Sieges* as have been formerly laid to it. He saith elsewhere, *Apex senectutis est autoritas*. *Quanta fuit in L. Cæcilio Metello! quanta in Attilio Calatino, in quem illud elogium unicum, Uno ore plurimæ consentiunt Gentes, populi primarium fuisse virum*.

And this *Authority* or Reverence of old age is so weighty, that it seems reasonable that in the criminating one that hath this badge of Nature there should be what *Tully* calls *authoritas testimonii*, and any single witness had need to have an allowance *se primarium fuisse virum* that would convict such a man; for diamonds are not to be cut but with the dust of diamonds. 'Tis not for nothing that the *Scripture* cautions the not receiving an accusation against an Elder but by two or three witnesses, and I am told that the *Canon-Law* requires seventy two Witnesses to convict a Cardinal who is a Bishop accused of any crime but heresie, and forty four in the conviction of a Cardinal Presbyter, and twenty six to convict a Cardinal Deacon, and seven to convict any Clerk. And therefore I think that it was a commendable tenderness and worthy of English Judges in a Trial at the *Kings-Bench*, to acquaint the Jury,

that they are to weigh and consider the credibility of witnesses pardon'd for perjury ; and both the Judges of the *Kings-Bench* and *Common-Pleas* resolved it, That the credit of such a person was left to the breast of a Jury. The *Bishop of Rome* who claims that *Monarchi* all power which is *potestas restituendi in integrum Sententiam passos, & quandoque absolvendi pœnam & non infamiam, quandoque & pœnam & infamiam abolendi*, and who as *Aquinas* saith (2. 2æ. q. 68. ar 4.) *potest infamiam Ecclesiasticam remittere*, yet allows the *School-men* to apply distinctions to that privilege of his, and to interpret it of *infamia Juris*, not *Facti*, for *labem illam quæ turpi facto annexa est, nemo delere potest*, as *Soto* concludes *De Justit. & Jure l. 5. q. 5. ar. 4.* No man who ever he be can wash out that stain of infamy which by Nature is inherent in a foul wicked Act, because (saith he) *ad præteritum non est potentia*, when the infamy is inherent by the Nature of the fact and not positive by Law. But still our merciful Laws of *England* allow a person after a pardon for the infamy of perjury, to be a witness, reserving his credibility to the Jury, and who may after the former crime obtain to be believed by them, when they shall have found that he hath acquired an habit of virtue by the series of many actions in his following Life, no man being supposed able in a desultory way to leap out of a rooted habit of Vice into an heroical habit of Vertue, and so è contra ; for that nature doth not pass from one extreme to another, but per medium. 'Tis true indeed, in case of Treason where the life of both the King and Kingdom is struck at, and of which there is rarely any detection made but by participants in the Crime, one who would be repell'd from being a Witness, is welcome as an accuser, and the barking of a dog is allowed to alarm us of thieves ; and as we say against Pirates, *omnis homo miles est*, much more may every man be an accuser against Traitors. Thus I have heard that in the case of heresie in the which (as I said before) the *Canon Law* orders the same proceedings and rules as in Treason, a Lay-man is allowed to be a competent accuser of a Clergy man : And as by all Laws any man is allow'd to be an accuser who prosecutes an injury done to himself or his Kindred, so I am told, that by the Canonists *Hæreticum accusans dicitur suam suorumque injuriam prosequi* (and in that case a notorious enemy is allowed to be an accuser) for that a heretick is said to strike at the Foundation of all Lawes divine and humane. Nay according to the *Canonists*, the *Pope* who cannot be accused of any crime but heresie, may be accused of that, and even by a heretick, and that with good reason according to their hypothesis ; for that the *Pope* being a Bankrupt in the Faith by heresie, attempts to break all the innumerable *Priests, Monks, Friars, Nunnes, &c.* that get their bread by that Religion. No wonder therefore that the *Canonists* agree that heresie is to be cut off in the beginning ; and they cite out of *Timothy*, that it doth eat as a Cancer, and the eating of heresie even in the breast of a *Pope* must needs be troublesom to the whole body of Clerical and Monastical Papacy, as a Cancer or Wolfe that would eat up all their bread, and therefore in the single case of heresie the *Pope* himself according to his own law may be convicted by two Witnesses, and be thereupon deposed. But tho it may be supposed that as the Civil and Canon Laws do leave the credibility of witnesses very much to the Judges, so our common Law does to Juries, and that in many atrocious Criminal causes, every man is not allowed to be an accuser of an illustrious person, and that we ought to be very tender and reserved in the taking up an ill report against the meanest of any of our Neighbours of mankind ; yet its otherwise as I said before in the case of Treason, which is like a pestilence walking in the dark, and seldom known before tis incurable, and before 'tis ploughing up the whole Land of a Country into graves. We are not to quarrel with the birds of the Air who tell who in his Bed-Chamber curses the King, because they are not Eagles. We are to be

be glad of the happy Augury, and to thank God and them for their saving the *Imperial Eagle*; and to be well pleased with either Tame or Wild-geese that save our *Capital*. If any Fleet comes to invade us, we are not to be very nice in dissecting the Morals or outward estate of him who fired the *Beacon*. Your Lordship hath heard how *Owen O Conally* an *obscure person* (as Sir. *John Temple* styles him in his *History of the Irish Rebellion*) came to the Lord Justice Parsons about nine of the Clock at Night before the intended seising of *Dublin Castle*, that was to be on the following day and discovered the detestable Conspiracy to him, with the names of the chief Conspirators, when the disguise of wine had made him seem hardly intelligible or credible. And when it falls out that a Country is saved by wholesale through a detection of Conspiracies presented by persons who cheated their Country-men formerly by retail, that is, by persons who had been vile and infamous, it ought to be accounted as an instance of the divine benignity to some of the most wretched and sinful Members of Mankind, who have been long industrious in tearing out of their hearts what reliques they could there find of the divine image, and who had long acted only *Devils* parts on the Stage of the world in punishing and being punished, then to invite them to an opportunity of changing the Name of *Malefactors* into that of being *blessings* to the World, and not only of being their Countries *benefactors* but (as it were) *founders*, and to gain good Consciences, and good names, and what rarely happens to others to have an *after-game* allowed them to play for *Reputation*, and to have it said of such an one on the occasion of the shame of his past life stimulating him to bring both glory and safety to his Country, *si non errasset fecerat ille minus*. By the account that I had sent to me from *London* of Matters in some *affidavits* relating to your being called *Papist*, your Lordship hath the greatest advantage that any man can desire who has any things sworn against him, by persons how credible soever, namely the incredibility of the things themselves. For can it be thought that your Lordship would out of your own Mouth judge your self a Traitor, that is, one reconciled to the Church of *Rome*, and forfeit your Life and Estate, and attaint your blood in the presence of a young man you had never seen before? and is it likely that the *Irish* *Papists*, who, as Sir *John Temple* observes in his said history, have such a kind of dull and deep reservedness, as makes them with much silence and secrecie to carry on their business, and whereby the design of the last Rebellion which was so generally at the same time and at so many several places to be acted (and therefore necessarily known to so many several persons) was without any Noise brought to such maturity, as to arrive at the very point of Execution, without any notice or intimation given to any two of that huge Multitude of persons who were generally designed (as most of them did) to perish in it; And the *Irish* *Papists* having been then (as he saith) tongue-tied by an oath of Secrecie, I say is it likely that they now designing Mischief if they did hope by your Lordships help to promote it, that they would trumpet forth your Lordships name in their publick Masses, and use such speaking trumpets about your name and their enterprise as should be heard all over *Ireland* and *England*? And who can believe it to have the shadow of Verisimilitude that your Lordship should give Commission to any to offer one of the Kings witnesses (and particularly Mr. *Dugdale*) your house as an *Asylum* to retreat to after they had for the turpitude of lucre retreated from their Principles, their Consciences, their Oathes? I never see any man sworn as a Witness in a cause, but I think of the saying of *St. Austin* upon those words of *St. James*, *Above all things my Brethren swear not, Namely Falsa Juratio exitiosa est, vera Juratio periculosa est, Nulla Juratio segura est*; and I have as it were a little cold shivering on me, while I see a man about what he knoweth of the property of a tenement staking his title to a Heaven and a Crown of Glory; I have then

then such a concern for another, as I have when I see a great Ship just launching off the Land into the water, and do then apprehend an immortal Soul launching it self into the great Ocean of Eternity, and am afraid of its being overfet. But when I think of a mans having honestly sworn already and in the greatest concern, namely in the detection of a Conspiracy against his Kings Crown and Life, and consequently having invoked the Omnipotent God to be conditionally his Revenger, his Executioner as well as Judge, and further think of any one that shall tamper with such a witness and offer him a great Sum of money as his *viatical expences to hell* to swear contrary to his former oath, and by that New Oath to renounce his expectation of a Crown of Glory in Heaven, and to endanger his Princes Crown and Life on Earth, and to attempt a Mortal wound on *Gods Vice-Roy* in the dominions of his Soul, I mean his Conscience, I have both all possible horror overwhelming my thoughts on such a *tremendous* instance of the degeneration of Mans Nature, and I have all the *compassion* imaginable for your Lordship on one of Mankindes pretending to think it possible that your house should with your consent be turned into a *denn* for such a *Monster*.

An *Areopagite* was discharged from the Seat of Judicature, because he threw away from him a small bird that fled to him from the pursuit of a great one; and it was therefore supposed that such a judge alwaies carried cruelty in his breast for that *charissimum Deo animal* call'd *Man*: and such is the compassionate tenderness of your Lordships mind toward injured and persecuted Mankind, that one of those may be allowed to Nest within your house as freely as a poor bird without it, But birds of Prey, I mean *Romes Vultures*, and either suborners or witnesses suborned to recant, have no plea for your Shelter; and I am confident rather then your house should be a cage for any such *unclean birds*, you would be content as the *expressions* of the *Prophet* are, *that the Satyr should there cry to his fellow, and that the Schrich Owle should rest there, and that the wild Beasts of the Desert should also meet there.* Your Lordship sees what a *preferment*^{some of} the *Papists* designed you: for that after (according to some of the *Narratives* of the Plot) Sir *W. G.* was designed *Lord Privy-Seal*, you were to be a *providore* for a suborned cast witness, and a *Jackal* or provider for the *roaring Lion* that walks about seeking whom he may devour: In fine, my Lord, they designed your Lordship to be an entertainer or an *Host* for the *Devil*. But your Lordships name being taken in vain by those who would have retained Mr. *Dugdale* to take Gods so, and the Devils tempting any to undertake for your house being a Sanctuary to a devil, are not new things for wonder, when you please to consider that the *Devil* presumed to undertake for Almighty Gods protection, when he tempted the Son of God. It seems the shewing to *Dugdale* the *several Kingdoms of the Earth* where he should be safe, could not prevail with him to be a fugitive from his Conscience; and tho it appeared in several *Trials*, and particularly my Lord *Staffords*, the tempter desired to have him, and that he was sifted, winnowed as wheat, Yet neither his Faith nor the faith of his Testimony failed him, after all the *cribration thereof*, and all that was gained by the endeavour'd suborning him against himself, as well as others against him, was only the fate of the *Thrush*, who is sometime birdlimed and took by his own excrements.

Is it not then an example of rare modesty, that the diabolical tempters should be the accusers of the Brethren, I mean of some of the Kings witnesses that would not be Bribed from attesting the truth in the case of their Political Father? The Age wants not the instance of an honorable Person, who courting a Lady in order to marriage, thought her at last not worthy his farther amours, yet who because he did once profess to love her, he fought
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one who reproach'd her vertue: But his example is not more heroical than is the practice infamous, for such who courted some of the Kings Witnesses both by importunity and gold to espouse their interest, and when both were totally and finally rejected, make it the most study'd part of the *Romance* of their Lives to dishonour them, and to *shamme* inventions of New Tragicomic *Plotts* upon them, but *Plots* so damn'd *dull*, as to be seen through in the opening of the first *Act*, and *Plots* that were most *thin* where the Actors cryed to themselves like *Bayes* in the *Rehearsal*, *Now the Plot thickens*, and where nothing of the *three Unities* was regarded, and which no marvel if they brought such confusion still to the *Actors*, as the Story makes to have once happen'd to the old *Red-Bull Players* at the *Tragedy* of *Doctor Faustus*, when they complained that *they had one Devil more than their Company*, and when they said a *quarter of the house was carried away*. Your Lordship out of a generous indignation that such *Whifflers* in Politics should think to lay a *tax* upon the belief of the Kingdom both without *Act* of *Parliament*, and without *Sense* (and indeed contrary to the sense of several *Parliaments*) did during a *Paroxysme* of the *Gout*, cause your self to be carried by your Servants to be present at Council, when the *Papists pretended* Presbyterian-Plot was there to be considered. And if it be true what Mr. *Hobbs* saith in his ingenious *History of the Civil Wars of England*, [*That Monsieur du Plessis and Dr. Morton Bishop of Durham writing of the progress of the Popes power, and entitling their Books, one of them, The Mystery of Iniquity, the other, The Grand Imposture, were both in the Right; for I believe there was never such another Cheat in the World*] the *Mercury* of that cheat being *sublimated* into the invented *cheat* of that Plot, was too nauseous and strong for the belief of the Kingdom to be able to swallow. We may therefore be very well allow'd to put the old great *interrogatory* of *Cicero* to these *Catilines*, *How long do you abuse our patience?* especially considering how much to windward we are of them by the detection of their real Treason, and do see both the *smoke* of our gunns, and those of their own they fire at us annoying them, and while we have had the just advantage of Plaintiffs against them and whereby their *recrimination* against some of our great number has seem'd only dirt thrown in their own defence, and at worst but *Catilines* accusing of *Cethegus*, and considering that we know it only proper to their Religion to justify the Maintaining the dignity of *holy Church* by Lies and calumnies. Thus *Guymenius* a famous Popish Doctor *ex tractatu de Charitate Proposit. 7. p. 176.* cites *Bannez. 2. 2. quæst. 70. art. 3. dub. 2.* for asserting that *per modum defensæ & ad infringendam contumeliosi auctoritatem, potest secundum quosdam absque leibali crimen falsum illi objici*, and that 'tis only a venial Sin to object a false crime to an unjust witness, and twenty Doctors are there mentioned for the making this a probable opinion. And therefore if it be *venial* for a man to make *shamm-accusations* where he hath only a private concern, 'tis *meritorious* to do it in the case of *holy Church*: therefore he said very right according to the Popish hypothesis, *gaudeo siue per veritatem siue per occasionem Romanæ ecclesiæ dignitatem extolli.* Joseph. Stephanus de *Osc. pr. in epist. ad lect.*

Guymenius p. 190. *tractatu de iustitia & Jure, Propositio. 1.* Cites both *Fathers Schoolmen Divines* and *Casuits* of several orders, and even holy Scripture for the asserting this proposition, viz. *Licetum est clerico vel religioso, Calumniatorem gravia crimina, de se vel de sua Religione spargere minantem occidere, quando alius defendendi modus non suppetit: A principle of Religion* calculated only for *Bullies & Hectors*, & therefore no marvel that such were observed to flock from so many parts of most Countries in *England* to *London* in and since the year 1678. like Ravens in expectation of the Carcases of ^{same} Protestants, and such miscreants are to the Jesuits their *Triarian bands* upon occasion, and who in

the Out-skirts of *London* are a noysome Pestilence, and not enduring nor being endured to live in the Countrey.

But from the said last Cited proposition of *Guymenius*, the proposition that contained the enacting Law *Sir Edmund Godfrey* fell by, I infer; that since there is a *par* or *proportion* between a good name and life, that such who account it lawful for a particular Clergy-man to Murder even a Popish Layman who shall but threaten to caluminate him, will account it meritorious by *Shammes* to Murder the fames of those who shall threaten to accuse holy Church.

And it seems as men try experiments on Creatures they account vile, they experimented both these propositions on *Godfrey*, for after they had basely killed him, they would have *shammed* off his blood and the guilt of it upon himself, when they pierced his dead body with his own Sword; a barbarous and infamous sort of cruelty, and which brings to my mind what *Dr. Donne* in the preface to his *BIAΘANATOS* refers to in the *Notæ Mallon. in Paleot. Part. 1. cap. 2. viz.* *that the Church in her Hymnes and Antiphones doth often salute the Nayles and Cross, but the Spear which pierced Christ when he was dead, it ever calles dirum mucronem.* And here because some of them drive an eternal trade of butchering and shamming, and then in effect Stabbing their own Shamms of Plots, I shall Entertain your Lordship with one egregious instance of a Priest of theirs being abandon'd to a reprobate or injudicious sence of shamming, in making by a ridiculous Lye a famous Cardinal and profound States-man perhaps as the World has bred, and one of singular Piety and great modesty, to render the *Gun-Powder-Treason* a *Sham Plot*, and thereby wounding the Fame of both the understanding and morals of their great dead Church Hero, as barbarously as they did the Corps of *Godfry*. And this instance I refer to, is in a Book called *The Advocate of Conscience liberty, or an Apology for Toleration rightly stated*, and writ with Learning and Wit, and Artifice enough *ad faciendum populum* by a Priest of *Romes Church* an *English man*, and printed in the year 1673. In pag. 325. He represents the *Gunpowder-Treason* to be a *Sham Plot* contrived by *Cecil*, and to prove this, Cites *D'Ossats Letters, Book 2d. Letter 43.* And the date of that Letter was from *Rome, March the 29. 1596.* And the date of the last Letter there is from *Rome in December* that year. The *Gunpowder-Treason* Plot was to have been on the 5th of *November 1605.* And on *D'Ossats* marble Tomb in *Rome* his Epitaph mentions that he dyed *Anno 1604.* so then he is made by that Author to have known that *Treason* to have been a *Sham-Plot* Eight years before it was to be executed, and to have permitted many Papists for want of his sending a line of News of the *Shamm*, to be sham'd out of their lives, and the *Roman Church* to be *shammed* and *anniversaried* out of its credit in *England.*

But if they reproach any as they did *Cecil* on the pretence of the persuading some of their wild principles into the decoy of a plot, a thing I think detestable as what implies a tempting or inviting of a Man to degenerate from himself, they have no reason to be angry with but only to pity men that receive infection from their principles, and from this particular one, That 'tis lawful for a good end to ensnare men into acts of Sin. Many *Casuits* and *Divines* are brought by *Guymenius* for this purpose, p. 184. in the 9th proposition ex tractatu de Charitate, and under which proposition he quotes *Sotus de Sec. memb. 2. quæst. 2.* a little before the fifth conclusion where he enquires, *an liceat & expediat aliquando perditum hominem permittere in pejora prolabi crimina, ut ignominia peccatorum confusus, facilius resipiscat & emendetur.* And he answers *licet nobis aliquando permittere peccatorem ad tempus in pejus cadere ut cautius resurgat.*

The 9th proposition there is *Maritus qui uxorem adulteram suspicatur potest ei occasionem offerre ut in adulterio deprehensam corrigit.* Lay man. Jesuita. lib. 2. tract. 3. Cap. 13. num. 5.

But in p. 205. *tractatu de justitia & Jure, Propositio 4.* The correction that may be lawfully used is assigned, it being there said, that *non peccat maritus occidens propria autoritate uxorem in adulterio deprehensam*: the which he saith *Sa* the Jesuit represents as a *probable opinion*, And which *Hurtado* he saith positively defends, *Tom. 1. resol. moral. tr. ult. res. 5. §. 7. n. 204.* so that if a Protestant States-man had inveigled them into a plot and then hang'd them for it, his *politicks* had squared exactly with their *Morals*. And even as the calling of a Rat-catcher is a lawful calling, tho some of that profession have had no certain way to take Rats but by the use of one experiment, namely, first, to provoke them to fly in the Artists face; according to the said principles is the calling of a States-man both lawful and laudable who deals so with such as he judgeth to nibble at Treason. But this by the way. And now to let your Lordship see how some of their Divinity is particularly but a laboured Sham in the case of *Treason*, and even but a *mocking* at Sin, I shall divert you with a known Author among them making men play with the bait of Regicide, as he is *hooking* them into it: And 'tis *Mariana the Jesuit*, as I find him Cited by *Dr. Donne* in his forementioned book p. 135. He quotes there *Mariana de Rege l. 1. c. 7. for cautioning against a King being a self-homicide by drinking poyson prepared and ministred by another he being ignorant; for after he concluded how an heretical King may be poisoned he is diligent in this prescription.*

[That a King be not constrained to take the poison himself, but that some other may administer it to him, and that therefore it be prepared and conveyed in some other way than meat and drink; because else, saith he, either willingly or ignorantly he shall kill himself] so that he provides that the King who must dye under the Sins of Tyranny and heresie; must yet be defended from concurring to his own death, tho ignorantly, as tho this were a greater Sin.

Is not this pleasant to see any of them catching of Kings in a *Theological Mousetrap*, and playing with them like Mice before they devour them? to see them sweeten a Cup of poyson for a King with their damn'd Church Sophistry, and to sham men as licorish Flies to be Swallowed up in the Cup? I wish that some of the most considerable of the Grandees of the Church of *Rome* could Answer this accusation of their *shamming*, otherwise than by committing it *de novo*: for if they say that some of their Doctors write against this and other crimes as well as some for them, as particularly some write against the use of equivocation; And as *Father Parsons* the Jesuite writing against King *James's* succession, another English Jesuite namely *Creighton* writ for it, and so that when some of their Doctors break the Churches head, others presently gave it Plaisters, is not this a fearful, shall I say, or Contemptible *sham*? Do we not know that the discipline of their Church is as exact as any *Military* discipline can be, by which alone it hath preserved it self so long in being, and that none among them can publish books without passing several Courts of Guards of *Superiors*, nor contradict one another in rules of practice, more than Trumpeters of an Army dare sound a charge or a retreat but when commanded to it? And what a face of something like *sham* the present *Popes declaration* about some opinions of the *Casuits* carries with it, I have already mentioned; and doth not every one know their avowed doctrine *de opinione probabili*, Namely, that tho an opinion be false, a man may with a safe conscience follow it by reason of the Authority of the teacher, and that a *Confessor* is bound to absolve the *penitent* when there is but one opinion for his being absolved, tho, he believes that opinion not only *improbable* as to the *principia intrinseca*, but false.

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In Sum, according to the old observation of Poperies prevailing, by having that in it which may fit the temper and humor of every individual person, and to be like *Manna* answering every man's taste, whether he hath a *gusto* for miracles, or even for starving or abstinence, for business, or retirement for Life or for death, for Honor or for begging, it may to these be added, that if any one affects to be a *Russian* or one of the Popes *Sheriffs* as aforesaid, there is a most ample field in the killing of Kings, firing of Towns, Massacring their Inhabitants for the *talent* of such a *Pouure diable*, and indeed *incarnate* one to expatiate in, and if any account it a *luscious* thing to be cheated or to be shammed as some few, or to cheat or sham as many think it, behold a Religion made for the *nonce* in that point too. But while they are thus playing with all things Sacred and profane, *he that sits in the heavens has them in derision* and leaves not the Protestants to fall finally as a *portion to Foxes*, such who turned tail to tail carry firebrands between them, and their *shammes* do only enter on the *Stage* of the World to be instantly *hissed off*.

My Lord, I have not been *rash* in Censuring either the principles or practices of some Roman Catholicks as aforesaid. And particularly I well know, that even the most ingenious of our *English* Papists cannot now in this *Conjuncture* endure to hear of *Father Parsons* his book writ by him to *Invalidate the Right of King James to succeed Queen Elizabeth*, principally because he was (as *Father Parsons* thought) an *heretick*. A very great Man that *Jesuite* was, and so *Considerable*, that one of our eminent *Divines* in his Sermon in print, gives him this Character; *That he was perhaps one of the greatest men that the order of the Jesuits has produced*.

And methinks 'twas pitty he should play at such *small game* of sham, when he publisht that book, as to entitle it to *Doleman*, an *honest secular Priest* whom *Parsons* hated, and to make him *odious*, laid the *brat* at his door.

Moreover, a kind of inglorious sham it was, that *Cremon*, who was *Parsons* his fellow *Jesuite*, writ (as I said) at the same time for *King James* his Right to the *Crown*, not out of any desire he should enjoy that Right, but that on all events they might have something to say in *apology* for their *Society*, and bring *Grist* to its mill. For if *King James* had not come to the *Crown* of *England*, the honour of hindring his Succession had been attributed to *Parsons*; and *Cremon* the *Jesuit* expected the Credit for his writing on the Event falling as it did. Thus I remember to have heard a *Passage* of two *Astrologers*, who on the day before the former great *Prince of Parma* was to throw the die of War, agreed together to predict luck to him perfectly contrary to one another, that so they might save the credit of their art, by one of the *artists* being in the Right.

The *Author* of the book called the *Catholick Apology, with a Reply &c.* (and which book I think the *Author of the Compendium* mentions as one of the books writ by the Roman Catholicks of *England* since the *Kings Restoration*) saith p. 366. speaking of *Dolemans* book, *For Dolemans book who wrote it God knows, Parsons deny'd it at his death, and I believe he was not the author, because in several of his works he speaks very much to the advantage of King James.* But as to *Father Parsons* having in that *Conjuncture* been of the *Spanish faction*, and having apply'd his whole soul and strength to hinder *King James's* Succession, and his having writ that book the *Great* foremention'd *Cardinal*, namely *D'Offat*, (who in several of his Printed *Letters* gives the World a more satisfactory and particular Scheme of the whole design to hinder that *Kings* Succession to the *Crown* of *England*, than I know any or all else to have done) saith among his letters (printed in *folio* at *Paris* 1664.) in that in *Book 7th* Anno 1601. a letter to the *King*, letter 131. what may be thus render'd in *English*, viz. *It may please your Majesty to remember, that since the year 1594.*
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there was a book printed in the English language that the Spaniards caus'd to be made by an English Jesuite call'd Parsons, and 'twas by the way of the low Country dispersed about England &c. And further in the 7th book p. 301. in the letter to Villeroy, letter 133. what he saith of that book of Parsons, may be thus made English, and from that book of Father Parsons one might draw reasons in favour of his Majesty, which would be more weighty then those he deduceth for the King of Spain and his Sister, the said Father Parsons does contradict himself very often and very grossly, as it happens to all persons in passion as able as they are, who are not guided by truth and by reason, but transported by Interest and by passion. And in the last letter of the 8th book, and to Villeroy from Rome the 30th of December 1602, he speaks of Father Parsons having made application to himself to desire that there might be a treaty prepared from Rome between the Pope, the King of France, and the King of Spain, to agree among themselves of a Catholick, that may Reign in England after the Queen, be it the King of Scots if he will turn Catholick, or be it some one else &c. But there in p. 367, year 1603, letter 174. from Rome to Villeroy, and on April 21st, it appears that all the Machinations of the hot Jesuitical heads against King James his Succession were overturn'd by providence, for he there saith that the Queen was no sooner dead, then that the King of Scotland was in England peaceably received, and the Controversie of King James his title evaporated; and for the honour of our English understandings he there saith, *Les gens de cet Isle là ont bien Monstré qu'ils sçavoient faire leurs affaires entr'eux tost & s'urement, & que ceux de dehors se sont fort mescontez en leurs desseins & esperances.* i. e. the people of England have well shewn that they knew how to do their own business among themselves quickly and safely, and that others abroad took very wrong Measures in their designs and hopes.

I have here said enough to entertain your Lordship with the View of their unreasonableness, who would impose on us, That Father Parsons wrote not that Impious and Treasonable Book, and likewise with the more pleasant View of Gods Confuting it (as I may say) by the happy determination of his over-ruling Providence.

And Now because I would make it appear to your Lordship, that I have not been unjustly severe to the Jesuitical Principles, in rendring them such as are the sturdy extravagances of those offals of Mankind, call'd Bullyes and Hectors, I shall entertain you with one Instance of a Bravado of threatening from one English Jesuite to all Protestant Crown'd Heads, a bravado that is like the High Water Mark, to shew in words how high 'tis possible for the foam of the raging Sea of Anger to reach, and 'tis in a Letter of Campian the Jesuite to Queen Elizabeths Privy Councillers, printed afterwards at Triers, 1583. as I find it Cited in that most learned Preface of my Lord Bishop of Lincoln's to the Book concerning the Gunpowder Treason, in the Tear 1679, and 'tis thus in English, viz. *That all the Jesuits throughout the World have long since enter'd into a Covenant, to kill heretical Kings any manner of way: and as to our Society know, That we Jesuites who are spread far and wide throughout the whole World, have enter'd into an holy Covenant, that we shall easily overcome all your machinations, and that we shall never despair of it as long as any one of us remains in the World.* Lo here a Drawcanfir, that will not only snub all Protestant Kings, and take the bowles from their mouths, and beat out their Brains with them himself, but he saith there is a Society or Corporation of such brethren of the blade Ecclesiastical, who have enter'd into a Covenant or Association to murder all Protestant Kings, and that every single Member of the Corporation should have that dead-doing talent of Valour that should awe and subjugate the Protestant World. And here then, my Lord, every Jesuite values himself on being a Mutius Scaevola; and more than Three hundred of these

these new *Romans*, or so many thousands of them, I mean *all* of them, according to *Campion*, have *Covenanted* to destroy every *Porfenna* that *lays siege to Rome*: but in that time of *Queen Elizabeth* there was an industrious *Gentleman* who fear'd not the terror of these *Husses*, but with his secrecy and silence did reduce these mad dogs into the Condition of neither barking nor biting in *England*, I mean *Sir Francis Walsingham*, of whom 'tis said in *Cotton's Posthuma*, *That his bountifull hand made his intelligences so active, that a Seminary could scarcely stir out of the Gates of Rome without his privity*. And no wonder then if *Campion* was soon brought to the end of a *Traytor* here in *England* by the Care of one of *Queen Elizabeth's Privy Councillors* in the Year 1581. who did both *desie* and *scorn* that *Rhodomantado* address, wherein the *Jesuite* did *Goliath-like*, *desie All Protestant Kings and their Armies*, and as if *he would give their flesh to the Fowls of the ayr*; but the event shew'd his own flesh was so given as a *Traytors*, to that use here in *England*.

It was a kind of a *bravado* in the great *Archimedes*, to say, *Give me where to stand, and I'll shake the Earth*. He well knew no such place could be found. The *Jesuits* it seems would have every one of their Order to be an *Archimedes*, and able to *shake the Earth* as he pleas'd, and the *hypothesis* of *Poperie* they know offers them a place divided from the Civil and Imperial Government where to stand with their Engines, namely the Ecclesiastical, but *things will not be ill administred*, and holy Church it self will sink into the Earth, if its Foundation be not laid as God and Nature would have it, and the Man who stands for the place to be an *Archimedes*, and to *Move the Earth*, will soon find his fate of being dissolv'd into his own little *dust*, and that among the artificial *lines* he is making. It seems that boasted *association* or *Covenant* of the *Jesuites* did help to occasion another among the Protestants in *Queen Elizabeth's* time, which was ratify'd by *Act of Parliament* in the 27th of *Eliz.* which was about three years after the death of *Campion*, who was *Convicted* of *High Treason* by vertue of the *Statute* made in the time of our *Popish Ancestors*, namely in the 25 of *Edward the Third*, and thereupon executed, and yet by the *Romish Church* made a *Martyr*, tho (as I said) convicted on that *Statute*. But according to this thundring *denuntiation* of War against all heretical Kings by *Campion* as the *Jesuites Herald*, and his *boasting* when he did put on his armour that every one of his Order should be like an *Alexander* an adequate match for at least *one World* of hereticks, the author of the *Compendium* needed not by his Rhetorick to reflect on my Lord Bishop of *Lincoln's* Candour & gentleness in saying yet if it be a breach of *Christianity* to crush the bruised reed and of generosity also to trample upon the oppressed, I wish his Lordship may be found guilty of neither &c. for behold any single *Jesuite* according to *Campion* tho but like a reed shaken with the wind is able to bruise all *Protestant Scepters*, and any little toe of that Order can trample all *Heretical* crowned heads to dirt, and the Number of the *Papists* in *England* if reduced to the least of Numbers is not according to *Campion* to be slighted, if one of them be a *Jesuite*, for that that one *Jesuite* will carry the advantage of odds against all *Protestant Kings and Princes*; that one may say my Name is legion, for we are many: but as that *legion-spirit* could not without the *Divine* permission ruin a herd of *Swine* off from a *Steep* place, so neither can all the *legions* of *Jesuited evil Spirits* in the *World* drive a King & Kingdom from *Precipices* at their pleasure: And *Queen Elizabeth* in spite of all the arts and power of *Rome* outlived eight *Popes*, and lived to change all her Counsellors but one, all her great officers twice or thrice, some Bishops four times, and died full of years, and did see and leave peace upon *Israel*.

And now I shall Entertain your Lordship with a further Reason of my charging the present *Popes* declaration aforesaid about some opinions of the *Casuits*,

Casuits, as carry^{ing} with it a face of some thing like *shamme*: and my reason is grounded on what was said in a publick Sermon before an honourable Audience, namely, *that the propositions of the Casuits therein were not Condemned by the Pope in the Consistory, which would have made the Censure more authoritative, but by the Pope and Cardinals of the Court of the Inquisition, upon which a remarkable thing follow'd: the Jesuites in France who were much provoked at this Censure, moved the Procureur de Roy, or Attorney general at Paris to put in a Complaint against the publishing that Decree, since it came from the Court of the Inquisition, which not being acknowledg'd in France, nothing Flowing from that authority could be received in that Kingdom: upon which the decree was prohibited and suppress'd.*

And may not the *English* Popish Priests say the same thing, the *Inquisition* was never received in *England*, and therefore that declaration of the Popes obligeth us not here, and we will prohibit and suppress it as much as we can! No doubt but the present Pope fearing that the Noyse and Infectious smell of those Opinions of the *Casuits* being more offensive to the minds of Men, then any snuff of a Candle can be to their Nostrils, they were ready to cry for the removing of the Candlestick of his Church out of its place, went about to extinguish them in the most Summary Manner that he could, and therefore attempted to do it by the Court of the *Inquisition*; well knowing, that in the *Consistory* of Cardinals all proceedings are so dilatory, and the old *magi* there so used to do every thing *pian piano*, that they would consume many pounds of new Candles in debating whether or no and how the old snuff should be removed, and perhaps would have thought to have contented the World in the mean time with giving it some perfumes: but the Pope being afraid of the *Jesuites*, perhaps as sometimes the *Grand Signior* is of his *Janisaries*, doth not for fear himself should be extinguished by them, so far (as I may say) follow the light within him, as to throw away or tread out that snuff of those opinions as containing a *malum in se*, or declare any of them to be *ill* as contrary to the principles of the *law of nature*, in which case neither he nor God himself indeed could have dispens'd with them, tho yet any honest and ingenious *Heathen* would on the least occasion given, have declared them so, As *Cicero* and *Seneca*, and many others have done; and which had the Pope done and the *Jesuites* or any *Papists* persevered in the making those principles the Rules of practice, his Kingdom had thereby been *ipso facto* divided against it self, and a diffinitive sentence had been thereby given by the Pope, that all who had dy'd owning those principles and practices, had been sunk for ever into the burning lake. Therefore, as I said before, I hope this declaration of the Popes such as it is, will give an alarm to our *English* *Papists* to deal seriously with their Souls, and to consider as if it were for their eternities, these and other Principles of their Religion, and that if they will not be thereby perswaded to be almost Protestant Christians, yet to be altogether Masters of as good Moral Principles as the *Heathens* I named; and If any of them can but give us a Moral certainty of their Principles being but such, I shall never repine at any favour that any new Law may afford to such of them.

If therefore any of our Lay Country men *Papists* not guilty of the late Plot shall desire to be heard, and to say any thing toward this effect, some of us have heard of these principles before mention'd as own'd by our *Casuits* and Priests and Confessors, that are now thus condemned by the Pope, and we did not believe that those our spiritual guides did own such Principles, but now our Eye seeth by the condemnation thereof that they were before own'd and made rules of Practice; Wherefore we hope that who ever do own them, will abhor themselves and repent in dust and ashes; and others of us did formerly think them Consistent with the Christian faith and the peace of Kingdoms and with humane Society, but we now
abhor

abhor those principles and repent in dust and ashes; We are ready to let the King and Kingdom and the World have a moral certainty, that we desire no power to change the Religion in England by Law establish'd, and we are willing to receive Instruction from any that shall be appointed by publick Authority, to give it to us, concerning what other principles beside these Condemned by the Pope are inconsistent with Religion or the publick Peace; and in case any shall offer to give us dispensations either for principles or practices contrary to those, we renounce as inconsistent with the publick peace; we shall be so far from accepting of such dispensation, that we shall detect the offerer thereof before a Magistrate, as much as we would an enemy to His Majesty; We are ready to give active or passive obedience as to all the Laws in being; We believe not the Bishop of Rome to have more power in His Majesties Realms by Gods word, then any other forraign Bishop, as was by Acts of Parliament and publick Recognitions declared in the Reign of Henry the 8th. We are willing to render the Kingdom as secure from fear of us and our obtaining power, as are the States of the United Provinces from those of our persuasion in Religion among them; We are willing to let you see, that the same Basis that shall be your security, shall likewise be ours.

A great part of our number has we fear given too much cause of jealousy to the Kingdom of their affecting pre-eminence therein, we are sorry for it, and hope it will be so no more;

I say such Papists as these are the bruised reeds, I would not trample on, and would make no noise to interrupt their being heard to the effect above mention'd. And since what has been done, may be, and Sir William Temple in his Impartial Observations on the United Provinces of the Netherlands, chap. 5. saith of the Roman Catholicks there, that tho they are very numerous in the Country among the Pesants, and considerable in the Cities, yet they seem to be a sound piece of the State, and fast jointed in with the rest: and have neither given any disturbance to the Government, Nor expres'd any inclinations to a Change, or to any forreign power, either upon the former Wars with Spain, or the latter Invasions of the Bishop of Munster; 'tis I say possible therefore for them to become sound pieces of the state here. And if the end of all their shamme Plots be what is usually that of Comedies, and Romances plots, a Marriage, I mean their espousing the true Interest of the Kingdom, I for my part shall never forbid the bannes of the Matrimony, nor enter any Caveat against the license for it granted by lawful authority; provided they give due security as in that case against such a precontract with Rome, that may null their contract with us.

'Tis an old Common Observation, That whelps without any care bestowed on them will see at the end of nine days, tho born blind, and that if they are much tamper'd with by art to be forced to see sooner, they are blind for ever: and therefore I hope that the forbearance of our Church in this latter Age to tamper with them, by disputes, or Catechising, or Compelling them to be present at the publick worship, will with the help of Time and Nature, and their experience of their inability by all their shamme Plots to put out our Eyes, conduce to the opening of theirs.

Alas, what advantage is it by all their artifices that they can hope both to gain and keep here, I mean for any considerable time. A trick of art is like a Monster in Nature, ill-lookt, and short lived; and 'tis obvious to every Eye, that the higher Scale got up by accident, is more ready to pop down again, then it was before, while it hung in its due poise. And while they do by art and contrary to Nature in any Conjunction hoist up their Interest high in the Air, the artificial motion endures not there long to be gazed at, and while it is there visible, 'tis beheld by thousands of vigilant Marksmen, who know 'tis easier to hit the mark shooting upward then downward.

We find 'tis notorious out of the present *Pope's* said *Decree* of the Second of *March* last, That the *Jesuits* and other *Casuits* were Encouragers and Patrons of *Calumny*, by those *Principles* of theirs he therein *Condemns*, and namely, That *Probabile est non peccare mortaliter qui imponit falsum crimen alteri, ut suam justitiam & honorem defendat: & si hoc non sit probabile, vix ulla erit opinio probabilis in Theologia: i. e. It is probable that he doth not Sin Mortally, who fastens a false Crime on another, that he may defend his own Justice and Honour; and if this is not probable, there is scarce any Opinion probable in Divinity.*

The *Jesuits* have by this Opinion given us the alarm that they make *Calumny* not contrary to the *Law of God*, but only beside it, for that is the *Popish* account of a *Venial Sin*; and moreover, that it is a small and very pardonable Offence against God or our Neighbour, and no more than an Idle word, and that it Robs not the Soul of life, and that it may be remitted without hearty Penitence and Contrition, and only with the Sacraments, Holy Water, and the like; these being the *Popish Received Doctrines* of the Nature of *Venial Sin*.

And thus they may by false Imputations and Testimonies rob the Bodies of Protestants of life, without bereaving their own Souls thereof, and this is own'd by them as a first Rate probable Opinion in that Great Science call'd *Divinity*, that Great first Rate of all Sciences, as relating to the honour of God; but most certainly we have very great Reason to pity the Persons of those who have such low and groveling and ridiculous Conceptions of the Supreme Being, as to think to add any thing to the brightness of his Perfection by that Sacrifice with whose smoke they endeavour to blind the eyes of some of their Brethren, while they are with its flames consuming the Bodies of others, and to think to tickle him with the straw of Praise, while they rob Men, and that the using of Fraud can be worthy of God, which is scorn'd not only by Gentlemen, but even generous Beasts (it being proper to Foxes, and not to Lions to practise it) and that tho the Dice of the Gods always fall luckily (according to the old Adage) that false ones are to be used for their Honour, or that any one is to be a falsarius for the Glory of the true God, and that since the Roman Heathens thought it Essential to the Justice of their Laws, and the honour of Human Nature to term him a falsarius who but conceal'd Truth in the Case of Men, it can be worthy of the Divine Nature to encourage false asseverations in Ordine ad Deum, and that it can be any Honour to infinit Wisdom to out-wit silly Mortals, or to infinit Goodness, to set it self off by the putative or real faults of any one, and that since as the Philosopher said long ago, 'tis the greatest Scandal to a Governor imaginable ἐπιβουλεύειν τοῖς περὶ αὐτοῦ, to lay snares for those that he Governs, to think that the Great Governor of the World can have honour from the laying of Nets and Springes by Man Catchers; In fine, to think that after the Divine Compassion to Men had under the Mosaic Dispensation so long signaliz'd it self against Idolatry, because 'twas a Cheat, and for that an Idol is nothing, it can be consistent with the Divine goodness now under the Oeconomy of the Gospel (of which the Restoring of Humane Nature was the Great intent) to encourage inhumane Arts and Artifices, to make it degenerate to the old Cheat of Idolatry again, and which was the worst extremity of it, the immolation of Men under the pretext of Religion; a Cheat of Idolatry, that the Blessed Jesus design'd by the offering of himself to exterminate out of the World as an unnecessary thing, and by his dying breath to make it evaporate for ever.

There was no guile found in his mouth, and his followers were only then wise as Serpents, while they were innocent as Doves: and the first Crying in the Cradle of the Puer Hebræus of the holy child Jesus, was as Thunder to
against
strike

strike the old Equivocating Oracles Dumb, that had so long cheated the credulous World.

When he branded the *Scribes* and *Pharisees* with sharper language, he calls them *Hypocrites*; He alarms us of *false Prophets* coming in the *Masquerade of Sheeps clothing*; tells us, That he who calls his Brother fool, shall be in danger of hell fire, and therefore he may much more fear that danger who makes a Fool of him, and plays the Knave with him; he Commands us not to *Calumniate* or *kill*, but to *bless those that curse us*, which is more than to praise them, as I said before of *blessing* being the *tribute* due to Men *heroically* *Virtuous*.

To shew that he intended nothing of *Artifice* in the Propagation of his Doctrine, a hated *Publican*, and a few poor Fishermen, and a Tent-maker are used in his *Embassy* to the World, men not likely to be able *Mentiri pro patriâ cœlesti*, if such a Commission as *Go Cheat all Nations*, had been given them.

And lest it might be thought that with Oratorical *Harangues* that he or they led Men by the *Ears*, as an *implicit faith* is said to lead them by the *Nose*, he us'd no *hony* of Phrase, or *sting* of Epigram, no Politic Remarks, nor scarce more *lenocinium* of words, than is in *He that hath an ear to hear, let him hear*.

He tells us, That for every *Idle word* we must give an account, and therefore certainly abhor'd *Equivocation*, which makes all words and speech *Idle*, and of no effect; and since, as I think, 'twas truly said, *Eloquentia non nisi stultos Movet*, *Eloquence moves none but Fopps*; he did, as I may say, put that generous *Complement* on mens *understandings*, not to Commission his *Ministers* to try to *sooth* men out of one belief into another by *bribing* their imaginations with the excellency of speech, or the inticing words of man's *Wisdom*, but the contrary.

He thought it worthy of *God* to be worship'd by the world in *Spirit* and in *Truth*, and not to encrease the number of his *Homagers* by *Lies*, *Legends*, and *Impostures*. It was for the honour of the Christian Religion that the Son of God chose to take flesh in the time when *Augustus* Reign'd, when the Roman World being freed from a long Civil War, had leisure to Cultivate the Arts of Wit and Reason, and had brought them to their highest Perfection, and took not the advantage of a dark and barbarous Age to surprize the World in, as afterward both *Papism* and *Mahumetanism* did, and 'tis therefore no Marvel if either of those two *Hypotheses* of Religion, did in one Point so much resemble the Christian Religion, in so soon with its ferment *leavening* so Great a lump of the World.

But the Christian Religion came not into the World like a *Fireship* with prepar'd smoke to blind mens eyes, as it was assailing them: No, for to the end that the *Christian* reveal'd Doctrine might like a great *Pyramid* be conspicuous to the whole world, and last together with it, and reach from Earth to Heaven, the Divine Providence was long laying its Foundation very deep in *Nature*, and very wide in the world; I mean, *Justice* and *Reason* so agreeably to Humane Nature then at their height appearing in the *Laws* of the Roman Empire, and its subjugating the World, and its reducing Mankind to the *Law* of Nature first imprinted on Man's heart, were by the Care of Heaven used as *previous* in qualifying the World to receive the Glorious *Superstructure* of the Christian Religion, the which would certainly not have been so much as *res unius ætatis*, if at that time when the Roman Laws inculcating the *Natural* *Cognition* between all Mankind, and placing *Actions* that wound *Piety* or *Reputation*, or good *Manners* in the Number of things *Impossible*, and intimating their abhorrence of *Collusion*, *Combining*, *Circumvention*, and *Disanulling* things

things done thereby, and branding of those acts that do *fraudem facere legi*, and rendring that to be but a pittyful innocence that is but as good as the Law requires, and making him in the eyes of the Law to be still in Possession of any thing, who is actually trickt out of it, *quia pro possessione dolus est*, providing against Calumny by an Oath in all litigations, and when a person is render'd to do a thing infamously, expressing it by *dolo facit*, having the regard of *Pudor*, *verecundia*, *Humanitatis*, *ac Religionis ratio*, and other such words of the like charming signification, which were like Trees in the Body of the Roman Laws, planted as thick by one another as they could well stand, the Christian Religion had in the Congruity of its Precepts to Humane Nature come short of those of the Romans, who as Cicero says, did not *Calliditate ac Robore*, sed *Pietate ac Religione omnes gentes nationesq; superare*, and especially if in those against Calumny, Fraud and Circumvention, the Christian Faith had not reach'd as high as the *bona fides* of the Heathens, and much more, if the Model of Christian Morality had been in that Knowing Age like that of the Jesuits in this.

But certainly since it hath often proved fatal to the Ministers of Kings to be, or seem wiser than their Masters, the Jesuits by affecting in their Platforms of Morality to be wiser than him, who in the style of the Scripture, of God is made to us Wisdom, Righteousness, Sanctification and Redemption, may easily take a prospect of their ruine; and as the Serpents trying to out-wit Heaven, and its Poisoning the Morals of our first Parents with its subtlety, made the Scene of its motion to be in the Dust, and it to be more accurs'd than any brute Animal, such is likely to be the fate of this Serpentine Order after they have been by their subtle Casuistical distinctions so long nibbling at the Sacred word, a thing the old Serpent did, and tempting Men in a fool's Paradise, according to their several Palates by their Tree of the Knowledge of Good and Evil, I mean the Experiments of Vice, by their pretended Moral Theology; but what is so far from deserving the Name of Theology, that if it were imagin'd that a general Counsel of Devils were by their Chief call'd to debate of a Model of *credenda* and *agenda* for the world, 'tis likely they would unanimously agree to set up this, and no other; for no doubt they would pass no Article to deny the existence of a God, for they believe that, and tremble, nor yet any Article that might be controul'd by Natural light, or of which any Matter of Fact would be over-rul'd by Authentic History; but they would among the unwary Judges of things, and such whose Judgments are choak't up with the fumes of lust, try to puzzle the Cause of Religion, and by distinctions to make Golden Bridges for Men to retreat from Morality: And this Course the Jesuits have took. By their Casuistical distinctions they have broke both the Tables of the Moral Law into innumerable pieces; they have broke not only the least, but greatest of the Commandments, and have taught men so to do, and how to do it with a *Salvo* to them, and how *Salvo metu & fide peccare*; and by being Casuistical Splitters of Sin, have been as troublesome to the World, as Splitters of Causes are to a Country. The Christian Religion that great Tye intended by Heaven to be like a substantial and great Cable (as I may say) to supply the great Anchor of our hope, they have made it their great business to untwist by their nice distinctions, and to make it so fine that it will not hold, and by encouraging Lies and Calumnies for the honour of Holy Church, they have help'd the Politic-Atheists-would be to a new occasion of trying to insinuate that old impotent-Slander that Religion it self is a Cheat; and moreover, since it is on all hands Confessedly true, that Religion is necessary for the Government of the World, and that every Ligament of Humane Society without Religion, is but like a rope of Sand, 'tis probable that the Jesuits Morality being destructive

structive of Religion, that the Nations of the World will look on it and their Society, as an Association against Humane Society, and that one Nation after another will declare themselves Abhorreers of it. And it must by necessity of Nature appear, that they cannot be *Confessors* of truth, nor *Martyrs* for any but the Devil, that make lying *venial*; nor can their fate who pretend to be *Witnesses* in the *Cause* of Religion be any other than is that of some according to the Law and Practice of Nations, who are *Witnesses* in any *Cause*, to have their whole *Deposition* rejected upon the Discovery of one falsity therein. And since 'tis confessed to be the Doctrine of the Roman Catholic Church, and particularly of the *Trent-Council*, that the *intention* of the Priest is necessary to the validity of a Sacrament, who can promise to himself safe anchoring in the Depths of a Jesuits intentions to *make* the Sacrament, while he *makes* Cheating lawful? If any one shall say, that so vile a thing is not to be supposed in a Priest, as upon any occasion not to *intend* the *making* of the Sacrament, let him consult the *Additional*s to the *Mystery of Jesuitism*, and there he shall see, p. 95. *Proposition* 23. no meaner a Jesuit than the Great *Casulist Escobar*, cited for this Assertion, *That it is lawful upon Occasion of some great fear to make use of Dissimulation in the Administration of the Sacraments, as for a man to make as if he Consecrated, by pronouncing the words without attention.* Escobar. *Theol. Moral.* Tom. 1. l. 6. Sect. 2. C. 7. Prob. 26. p. 27. And in this point, the Pope's said Decree is infallible; namely, to shew the fact of this Doctrine of Devils, having been own'd by Jesuits and Casuists, as appears by the Proposition 29th. in the Decree, viz. *Urgens metus gravis est Causa justa Sacramentorum administrationem simulandi.* O Blessed Jesus, can any Jesuit think it is lawful for him so far to fear those that can kill the Body as by his Dissembling his making of thy Body, to destroy anothers Soul by Idolatry? 'Tis among both Papists and Protestants confessedly true, that if the *Host* I worship should not be the Body of Christ, I were a great Idolater; and therefore if a Priest by that incident Passion of fear may lawfully forbear to *intend* to *make* the Body of Christ, I may well have such a constant fear as do's *cadere in Constantem virum*, of the danger of my worshipping only a Wafer, and consequently of my being an Idolater: and since a *Miracle* is Heaven's *Broad Seal* to the truth of any Doctrine, and since Transubstantiation is the greatest Miracle that can be thought of, I may well conclude that God will not commit the Power of making Millions of Miracles every day to men that make Cheating lawful, more than a Prince will commit the Custody of his Broad Seal to a professed Impostor. And therefore I shall by the way affirm, that the Protestant Religion not making the *intention* of the Priest *essential* to the Sacrament of the *Eucharist*, is more strongly assertive of the Real presence there than is the very *Popish Hypothesis*.

The truth is, 'tis a very inglorious, and a very imprudent thing to use *fraud* even in the Conduct of *Political Government*. My Lord Herbert in his *Life of Harry the Eighth*, speaking of a foreign Monarch, saith with great Judgment, *but while he escaped not the Opinion and the Name of false* (which yet his Country Writers palliate no otherwise than with calling it *Saberraynar*) *he neither comply'd with his Dignity, nor indeed the Rules of Wisdom, true reason of State consisting of such solid Maxims that it hath as little need of Deceit, as a sure Game at Chess of a false Draught: there is no use of it therefore among the wiser sort, it being only a supply of Ignorance among the Ruder and worse kind of Statesmen.* Beside it appears so much worse in Public Affairs, as it is never almost hid or unrevenged. Reputation again is still lost thereby, which yet how much it concerns Princes, none can better tell than such as Imagine them without it.

But

But to use Fraud in or for that great concern of Mankind call'd *Religion*, is more absur'd: and 'tis the vilest Nonsense imaginable, for *Men to talk deceitfully for God*, and that style of a foreign Monarch of *Dissembling his Indignation*, need not be used by him who made the World with a *fiat*, and can unmake it with a *thought*, and whatever Religion in the World is true, I am sure that is and must be false that attempts to support it self by falshood or fraud, and by the Violation of Faith given. For I am sure that to stand to Promises, to abhor Deceit, is a thing in its own nature simply good, and *that it is impossible that God should lye*, and if it be simply good in God, it is necessarily so in Man, whom he hath made after his own Image, the Image being to answer the Archetype: and that Religion therefore that doth approve of *falsarii*, and which cannot have the true God for its Founder, and in which every honest man may justly say to the *Deity* of its worshippers, *Stand by thy self, come not near me, for I am holier then thou*, (as the Scripture expression is) must expect to be exterminated out of the *Knowing World*. Such worshippers can be no more judged parts of the *Ecclesia Catholica*, than *Pick-pockets* in Churches are of the *Cætus fidelium* there, and as when these *petty Larceners* are there discovered, they are glad silently thence to steal themselves away, such perhaps will the fate of those grand Impostors too be after their detection to march out of the Church, and that without the *Parade* perhaps of *noise of Trumpet*, or *beat of Drum*. There needs no battering Ram against Fraud, but Detection. And these *Arbiters of Calumny*, that like the Month of *March* came into the World as a *Lion*, may perhaps go out of it like a *Lamb*, and their Morallity naturally come into the number of *Pancirols, Res deperditæ*, and as not worthy of any Humane care to conserve, after it has with so much violence been labouring in vain to destroy that old great *invention* of God, the Law of Nature. Let any great *East or West-India Company* in the World, but once as a *Public Society*, renounce the observation of Faith, or Patronize Cheating, and no other Company need envy their growth or Continuance, or pick holes in their Charters, and retain the loudness of Lawyers to dissolve them. And such is the fate like to be of any *Religionary Society*. None need ask where are the Fighters, or where are the Disputers of this World, to confound an order whose Casuists make Lying lawful; and yet make it lawful to kill one that gives the Lye.

And the truth is, it is already through the Providence Divine, and likewise the Providence and Circumspection of Men so effected, That these *lewd Moralists*, that call themselves the *Fellows* of the *Holy Jesus*, these *crafty Companions* are so detected in the Church, not only as *Cheats*, but as having the *Plague*, that they are avoided by many of the *Orders* that own the Pope as their *Chief*, who will neither admit them to *Prattique* nor *Quarrentine*, and they are in a manner reduced to the state of those Princes, who force a Trade at home, and only drive one with their own Plantations abroad. They are already come to the state of *Bessus* his *Collegues* in the *Comedy*, a sort of military pretenders, who after their Buffetings and Spurnings they had took from so many, did support their Credit only by this *Combined Determination*, namely, *that they were valiant among themselves*: and this is the present state of these *expos'd Casuists* of the Church Militant that have been so long imposing on the World by force and fraud, 'tis agreed on by them that *they are Just among themselves*.

With the help of all that Nature and Art can do, they can never recover the wounds that have been given them, by the publication of the *Les Provinciales*, or the *Mystery of Jesuitism discovered in Certain Letters written on occasion of the differences at Sorbonne between the Jansenists and the Moli-*

nists, *with additions*, and were Printed in the *English Tongue* in the Year 1658. And that Great Court of Conscience that is a Court alwayes open (and where the Judges are too many to be all brib'd or aw'd however some may sleep) which I may call *Conscientia humani generis*, having arraign'd and condemn'd their Casuistical Tenets as infamous, they are after an Impeachment and Sentence in that Court to expect no pardon: the World will never forgive nor forget their making *Calumny* a Venial Sin; nor their particular bringing into the Field for the service of the art of *strongly calumniating* Battalions of Fathers, Schoolmen, Divines of other Orders by *Guimenius*: who in that Book of his before mentioned, brings in a multitude of great names of those great ranks not only to Justify, but even to Sanctify the Crimes charged on them in those Letters: and as 'twas said of old, *Citius efficies Crimen honestum, quam turpem Catonem*, so in *Guimenius* we do not see any rascall Deer who were Justly markt or wounded, thrown out of the herd of the Jesuits, but we see Men who were besmear'd with their own filth and the Dirt the World threw on them, out-braving the light, and to cleanse themselves from imputed guilt running into the Crouds of Casuists of their own and other Orders, as likewise among the Fathers, Divines and Schoolmen; and so Magnanimously Impious was he, as to make Acts of Cheating and Calumny to be patroniz'd by *holy Church*, and openly to excuse the putting Gods Mark on the Devils Merchandize, and to stamp in effect a legitimacy on them with an effrontery only to be parallel'd with that which *Tully* tells us concerning *Antony* the Oratour, who being to defend a Person accus'd of Sedition, boldly went to prove that Sedition was no Crime, but a very Commendable thing.

But after all their long Casuistical weighing of the Dirt of *Vice in Aurificis statera*, or rather in *Essay-Masters Scales* which turn with the 300th part of a grain, and as some contriv'd by an honourable Person of the Royal Society, will turn with the thousandth part of one, it Can never be forgot that they tell us this Dirt is Gold.

Nor can or will the bold Artifices of the Jesuits before mentioned in eluding the Popes Decree of the 2^d. of March, 1679. against their unmoral Divinity, and of which Declaration the Cloud contains Thunderbolts of Excommunication against their Tenet of lawful Lying and Perjury, and Equivocating, and of Dissembling in the administration of the Sacraments, be ever forgot even by many thinking Papists, or indeed the thinking part of Mankind.

And Protestants may well ask all Papists that Call those damn'd Tenets of the Jesuits by the Name of Religion, *Where was your Religion before the birth of Luther*? for *Luther* was born above half a hundred years before the birth of the Society of the Jesuits.

Nay since that Religion has been damn'd by that Decree of the Popes, we may ask them, *Where is your Religion now, where is the Popes Infallibility so much avow'd and Idolised by the Jesuites heretofore*? What, is not the Pope infallible in his Chair, in the Inquisition? was his Chair in the Apostolic Palace in the Vatican, and attended there by the most Eminent and most Reverend Lords the Cardinals of the holy Roman Church, being specially deputed by the holy Apostolic See, to be the General Inquisitors for the whole Christian Common-wealth against all heretical pravity, I say, was that Chair the Chair of Pestilence? Are not you as Heretics self-Condemn'd in having procur'd your infallible Popes Condemning Decree to be suppressed in France as coming from the Pope in the Court of Inquisition? Alas, do not we know that 'tis all one as to the value of the Coin, Let the Prince's Mint be kept in this place or the other; and that 'tis the Sanction of the Pope either in the Consistory, or in the Inquisition at Rome, that

that gives the *standard* of weight and fineness to any Doctrinal Propositions, and that makes them *current*? Do we not know it out of the *History* of the Council of Trent, that the Pope told the Cardinals in Consistory, that they had only *Consultive Voices* to put things to his consideration, and that the *Decisive Voice* belong'd only to him? Do we not know out of that *History*, Book 7th, that *Laymez* the General of the Jesuites spoke with great vehemence and Master-like in the Council about two hours, proving that the Power of Jurisdiction was given wholly to the Pope, and that none in the Church besides hath any spark of it but from him, and that while Christ liv'd in the flesh, he govern'd the World with an absolute Monarchical Government; and being to depart out of the World, he left the same form, appointing his Vicar St. Peter and his Successors to administer it as he had done, giving him full and total Power and Jurisdiction, and subjecting the Church to him as before to himself: That in Councils be they never so frequent, if the Pope be present, he only doth decree, neither doth the Council any thing but approve, and therefore it has been always said *Sacro approbante Concilio*; yea even in Resolutions of the greatest weight (as was the Deposition of the Emperor Frederic the Second in the General Council of Lions) Innocent the Fourth, a most wise Pope, refus'd the approbation of that Synod, that none might think it to be necessary, and thought it sufficient to say *presente Concilio*? How comes the Case now alter'd, when we behold the Jesuites now crucifying the Decree of their King the Pope, after all their former Hosanna's to him, while he was mounted on the World as his Ass, and after all their deafning of the World with Blessing him in nomine Domini, and see them now putting but a reed of Infallibility in his hand, and see his Scepter in theirs, and see their fourth Vow to the Pope annull'd, and what performance then can Hereticks expect from any Promises they make to them? and might not the Jesuits with the salvo of a Protestation against the Inquisition, or with a thousand Expedients, if they had pleas'd, allow'd Receipts from the Inquisition, to rid the World of a Pestilence, as frankly as Protestants use the Jesuits Powder against Agues, and without intending more Honour to that Court, than the Sacred Writ did to the Devil, in recording for our instruction several things by him spoken? And have not we a candid account of this Arcanum in a very Ingenious Discourse lately Translated into English, and call'd, The Policy of the Clergy of France to destroy the Protestants of that Kingdom, and writ in the way of a Dialogue between a Parisian and Provincial, where p. 67, and 68. Le Cheise and the Jesuits Party are said to have effected the suppression of the said Decree in France, upon pretence that it issued from the Tribunal of the Inquisition, and that in the Draught of an Order of a Parliament in France, for the suppressing the Publication of this Decree, these words were put, viz. Tho that these Propositions are justly Condemned, and that Father Le Cheise caus'd these words to be razed out, and has put in their stead, That even the good things which come to us from the Tribunal of the Inquisition, ought not to be receiv'd?

But if upon occasion of what was discours'd by that Author, it be further said, that the setting up of those unmoral Casuistical Tenets in France, was the erecting a Pillar of ignominy against God, I will ask if one who is revera an incompetent Judge shall go to demolish any such Pillar set up against my Father, and I have already own'd that that Judge doth infallibly know the bounds of his Jurisdiction, and have oblig'd my self to him by the foremention'd fourth Vow, that what thing soever he shall Command that belongs to the profit of Souls, and the Propagation of the Faith, I will without any tergiversation or excuse execute, as far as I am able (for this is the Jesuits fourth Vow to the Pope) shall I then be active in the hindring a Decree of this Nature, given by this Judge from being executed, at the same time, I Protest against it, shall I make no Protestation for the honour of my Father? And do you think in this Inquisitive Age the Cheat

of an *Inquisition*, will elsewhere pass long, since that Court that is used by ordinary *Inquisitors* for the torturing the Bodies of Christians, and mutilation of the Image of God, cannot be allow'd to shew severity to the body of Sin, to the Image of the Devil in depraved Minds, and that while your unerring Judge of Law and Fact is in Person there praesiding? Are not you that surpress the Dictates of your own Universal Pastor such unreasonable Men as we may well pray to be delivered from?

All our Jesuited Papists must still expect Expostulations of this Nature.

Their Head was before at Rome, and their Brains too; but if they now make a *Schism* from the Pope himself, they will come under the Denomination of *Acephali* (the Name of some ancient Heretics) that is, the People without a Head, unless they will own the *Hydra* of the Jesuits for their Head, which it seems the *Hercules* of Rome could not subdue. I believe many of them will consider what sure footing they have where they are, while they see their *Moses* flying from his own Staff when made a *Serpent*, I mean his Order of Jesuits, and see the Collusive or Sham-Serpents of the Jesuits devour those of their *Moses*, and Juglers by *Deceptio Visus* and lying to impose on the eyes of the World against the sense and reason of Mankind, and even of the Pope himself, and 'twill be very ridiculous for them, who have been cheated out of their own Religion, to think that some who are the Jesuits Bubbles can cheat us of ours, and that while they are grown Seekers, they should make us loose our Church; and that when the Spiritual Monarchy of the Pope is in a manner Run Down by the Republic or Society of the Jesuits, they should think to cheat us of our King and Church, and that our Religion can be run down by such Spiritual Outlaws, and Rebels against the Pope himself, and such as perhaps the Pope may in time be induced to oblige the World by suppressing after their Injuring all Morallity, and the most vital parts of Christian Religion, and the great avow'd use of his Power in the whole Christian Common-wealth, by their Suppression of his said Decree. I hope while the Fan is in his hand he will thoroughly purge his floor, and esteem the Disposals of rich Benefices in France to be poor *Regalia sancti Petri*, for him to vindicate in Comparison of the lives of the Souls of his Flock, that he, and all ingenuous Knowing Mankind, know must be destroy'd by such Casuistical Principles; and without his doing which, he cannot in the least deserve the Title of his Holiness.

For the determining the truth about such Principles, he need not say as one of his Predecessors did about the *Jansenian Speculations*, that he had no skill in Divinity. A very little skill in Natural Divinity (and such as may be had by the Reading a few Lines in Tully's Offices) would accomplish any one with what would demonstrate the things allowed by the Casuists to be unworthy both of the Divine and Humane Nature; and all the Jesuit's Skill in Divinity will never be able to render them otherwise to the World.

I must seriously profess, that one saying of the Great Cicero in that little Book, viz, *Ea deliberanda omnino non sunt, in quibus est turpis ipsa deliberatio*, i.e. Those things are not at all to be deliberated wherein the Deliberation it self is filthy; has in it I think more frank generous Morality included, and that which is more worthy of the ancient Roman and Primitive Christian simplicity, then what all the Libraries stuff'd with Bauny, Escobar, Layman, Le Moine, Navarrus, Azorius, Molina, Tanuerus, Lessuis, Emanuel Sa, Henriquez, and other Numerous Casuistical Jesuits have furnished the world with, wherein they do so nicely and infinitely divide the body of Sin in *semper divisibilia*, and indeed make it an infinite Nothing. But the world I think will not long deliberate what to do with this Casuistical Divinity, of which no truer Description can be

be given, then that 'tis a *Deliberation of Sin*. I do not know any that would eate or drink with another that he thought did *deliberate* to Poison him. *Dum deliberant* (saith *Tacitus*) *desciverant*: i. e. *While they do deliberate whether they should revolt, they have revolted: their very deliberation and consulting was ipso facto a Revolt.*

I doubt not but many Pious Christians of the Roman Catholic Communion have Complain'd of the effect of their subtle and innumerable distinctions destroying Christianity, in that *style of the Woman in the Gospel, They have taken away My Lord, and I know not where they have Layd him*; and that Considering those Casuists had so far fear'd their Consciences and brazen'd their Foreheads as in the Patronizing of *Calumny* and other Impieties to defy not only *Christ's Gospel*, but the *Pope's own Canon Law*, many *Papists* importun'd the *Pope* with their Zeal futable to that of the *Psalmist's*, to give that decree, saying, *It is time for thee to work, for they have made void thy Law.*

'Tis *notorious* that the Canon Law (as bad as it is) is very severe against *Calumny* and *Calumniators*, and especially against Clergy-men that are such, and pronounceth a Clergy-man *infamous* who is convicted of defaming another: and 'twas very well worthy the Vigilance of the Pope, not to let the Jesuits steal away his Canon Law from him.

But this must needs be very *diverting* to this *inquiring* Age, to see Protestants as well as Papists accounting the Popes reducing some immorallities to the *Test* of his own *Canon Law*, a piece of *Reformation*, and the Pope struggling to effect it, and hindred by the Jesuits therein.

According to the former expression, *it is time for the Pope to work* and to *Null* that *Order* that thus *nulls* his aforesaid *Decree* in the sight of an *awaken'd* World, and is else likely to Null his Church, the *Patience* of Mankind being the less able longer to bear the weight of Jesuitical *Calumnies* by its having endured them so long.

The truth is, the Great and Original Cause of the founding of that *Order* being to cut Heretics Throats, (for at this plain rate we must speak and call a Spade a Spade when they are digging our Graves with it) it was necessary for them to use the art of *blackening* of Heretics by *Calumnies* as the Prologue to that Tragedy, the which would cause the Heretics to fall unpity'd; and 'twas necessary to make that *black art* as lawful as they Could, that so they might have their *quietus* from the World for the arrear of their pass'd frauds, and not fear accounting for future ones.

But as these men *will not recede from their Art*, so neither will *Nature recede* from it self, and our Critical English World now having occasion to pass Judgment of their *Calumnies*, is *naturally* enforced to Consider their former *Shammes* in States and Kingdomes to aggravate their present ones, as Judges still in the Case of Malefactors are obliged to take notice of their having been formerly branded for the same Crimes.

The execrable *Shamme* made against the *Admiral* and others as conspiring to kill the *King of France*, and giving provocation to the *Parisian Massacre*, will never be forgot; nor the *Shamme* that was provided to have charged the *Puritans* with the *Gun-Powder Treason*; nor that of the *Irish Rebels*, who were so outrageously impudent as to pretend the Commission of our *Royal Martyr* for their Butcheries: Nor yet that of the Jesuites having effected heretofore in *Bohemia*, and lately in *Hungary*, that *Counterfeit* and *forged Letters* should be found in the Custody of the Protestants, to charge them with Crimes against *Cæsar*. The *Memorial of the Sufferings of the Protestant Ministers in Hungary at the Instigation of the Popish Clergy there*, printed for William Nott, in the Pallmall, 1676. shews it at Large, where 'tis said,

They did not (against the Ministers) insist much on the Particulars that relate to Religion, but great endeavours were used to prove them Complices of the Rebellion, the which their Advocates and Council did manifestly disprove, and the Resident of the States of the United Provinces at Vienna did afterward in a Memorial to the Emperour fully and solidly refuse. Tho the Ministers were indicted in form of Law, for having assisted the Rebels by their Council, and supply'd them with Provisions, and for having Made way for the Turks to Come in and wast that Kingdome, yet none of them (as that Discourse sets forth) was convicted thereof, nor one clear Testimony brought to prove that any one was a Complice of that Rebellion.

That discourse shews that the *Advocatus Fisci* did exhibit everal Letters to prove all the Ministers Complices of that Rebellion, but that many and great presumptions evinced that these Letters were never produced, tho it was frequently demanded by the Ministers and their Advocates that they might be, and that yet they could never obtain any thing but a printed Copy of them; and tho the Advocates for the Ministers did often press the Fiscal to declare when, where or how he came by these Letters, yet that was never done.

That Author having p. 10. mentioned the vile art of Calumny, That the Jesuits try'd to exterminate the Protestants out of Hungary by, speaks in p. 11th. of the effects of their endeavours, saying, that upon a Just account it can be made appear that at several times before and after the Citation against the Protestants, (meaning the Citation to that vile Process) there were above 1200 Churches of them suppressed.

It must needs then appear very Ridiculous to the World, that when there is not a third part of Hungary (that old Bulwark of Christendom against the Turks) remaining in the Emperor's hands, (for so Dr. Brown in his late Travels there Computes it) that these Nominal fellows of Christ by nominal crimes charged on real Christians, should endanger the exterminating of Christianity out of the European World, and the making the Emperor not long so much as a Nominal King in Germany it self, and that the Emperor should be more afraid of the Itch of his remote Subjects, then of the plague of his nearer Foes, and that the Jesuits disliking the Itch after new Doctrines in the Hungarians should be reputed good advising Doctors, who counsel him to pass the time in scratching and lancing with his nails his own members, when many Thousands of armed men are designing against his Life and Crown, and when his Empire is brought to such a state, that as 'twas said of the Roman Empire when devolv'd on Germany, that one might *quaerere Imperium in Imperio*, that the danger now hangs over it of the German Empire being there sought too, and all by the true Real *Imperium in Imperio* of the Jesuits there.

And indeed the *biceps aquila*, which is the Insigne or Arms of the Empire, might be properly of late referr'd to the *divisum Imperium* the Emperor had with the Jesuits, whom to every *abecedarian* in Politics 'tis known to be more his interest during the present grandeur of France, to dismiss from his Councils, than ever 'twas the Venetians to deal so with the Ecclesiastics.

My Lord, I should not have thought it good manners to have been so copious in the exercise of your Lordships Patience with the particularities of the unmoral or unmannerly doctrine of the Casuists as to the Point of Calumny, but that I thought some Oyl of these Scorpions that you have not the leisure to extract out of their dead Authors, might be useful to you in the repelling the venom of their stings sooner then you are aware.

And indeed as 'tis observed, that the Last bitings of some dying animals are most fierce, so is it likely to be with their last efforts, namely those of their Calumnies against Protestants, which I believe will likewise be their *derniers Resort*,

Resort; and 'tis therefore your Lordships and every Protestants Concern, who is a Lover of Justice, to know that you wrong'd any Jesuited Papists, if in Capital Causes you did believe them not to *practice* in that case the *Principle* they *profess*, namely the making *Calumny* venial, a thing so expressly own'd in the 15th *Letter of the Les Provinciales*, that they were Call'd by some of the *Sorbon* on that account *Quintadecimani*, in allusion to the *Quartadeciman Heretics* of old.

'Tis said in that 15th *Letter*, *That this is so notorious a Doctrine of their Schools that they maintained it not only in their books but also in their public Theses, which certainly is the height of Confidence, as among others in their Theses of Louvain of the Year 1645. in these termes, It is only a venial Sin to Calumniate, and impose false Crimes, to ruine their Credit who speak ill of us: quidni non nisi veniale sit, detrahentis auctoritatem tibi noxiam falso crimine elidere?* and this doctrine is so much in vogue among you, that you treat him as an Ignorant and Temerarius person, who presumes any way to oppose it: and presently after, tis related how Father *Dicastellus* said, that to prove that twas no Mortal Sin to use *Calumny* though grounded on absolute falsities, against a *Calumniator*, he had brought a Cloud of their Fathers to witness it, and whole Universities Consisting of them all whom he had Consulted, and among others the Reverend Father John Gans Confessor to the EMPEROR, all the public and ordinary Professors of the University of Vienna, (consisting wholly of Jesuits) and that he had likewise on his side Father *Pennalossa* a Jesuit Preacher to the Emperor, &c.

But the aforesaid probable opinion of *Calumny* will never be received in this Age of *Demonstration*, and since the old Roman Laws enjoin a *Juramentum Calumniæ*, an Oath of *Calumny*, (as was before remark'd) whereby every litigant was to invoke God as *Witness* and *Revenger* about his not using any false proof *Knowingly*, the Christian World in this *Knowing Age* will know those who make the use of false proofs *knowingly* to be a *Venial Sin*, and it must certainly appear ridiculous to *Judges* and *Jurors* to give the least respect to such gamesters Oaths who trumpet forth that Principle that 'tis a *Venial Sin* to use false Dice of the Law to make true ones of Protestants Bones.

My Lord, I am not so unjust and uncharitable as to cast a brand on the Body of the Papists, as not being capable of the *Dignity* of *Witnesses*.

I doubt not but there are in the external Communion of the Church of Rome very many Thousands who by Divine Grace are kept from Communicating with that Church in many of its Principles and Practices, and that invincible ignorance may render many of them excusable, and that the great mortifications and austerities and zealous devotions not only among many persons of their Religious Orders, but of the Common people, shewing them heroically Vertuous, do entitle them to have their testimony in any matters of fact received with honour equal with that of the best Protestants.

And as to many of our Papists in England it must be with Justice acknowledged, that their having descended from antient Families, and having had ingenuous Education, and plentiful Fortunes, and their having seen the World abroad, where they have observed many of the Principles of the Jesuits as much detested by Papists as they can be by Protestants, and their generous inclinations to serve Vertue and Morality, may well secure us from fears of their being imposed on by Jesuits to use little or great unholy Shammes and Calumnies for the good of holy Church, a sort of Penance that must needs seem odious in Nature to well-bred Gentlemen and Men of Estates, not tempted like little hungry Greeks to leap up to Heaven, or down to Hell for bread, under the which mean classe of Mankind (according to my intelligence) those Pa-
pists

pists have generally fallne who have been famous for Shamming and Subornation as to the late Plot.

'Tis therefore no wonder that *Papists* in the *Low-Countries* are not tempted to use any *Shammes* to promote their Religion, it being necessity that compels men to turpitude, and the very *Alms-men* there not being *ad incitas redacti*.

And against some of our *English* *Papists*, being allowed to be dignitaries as to faith of testimony, whom I have before described, I shall never except.

But for any *English* *Papist* who is a believer of the *Tenets* of the *Jesuits*, and some other *Casuits* to Expect to be believ'd against any that honors not their Society, (which none that upholds humane Society and would not have Mankind trick'd out of the Light and Law of Nature can do) is to render a man irreverent to himself and his Maker, and to shew his want of a *Curator* by the *prodigality* of his *Faith*, especially when he shall call to mind how *Del Rio* the famous *Jesuit* affirm'd that the *Dominicans* ought not to be allowed as *witnesses* against the *Jesuites*, a charge that *Guymenius* p. 127, & 128. in vain Contends to evade.

But this their *dernier Resort* (as I call'd it) of their *use* and *application* of their *erroneous* or rather *diabolical doctrine* of *Calumny*, must certainly be *fatal* to them; according to that *Proverb* in the *Gospel* about the *last error*, *Et erit novissimus error pejor priore*. The *High Priests* and *Pharisees* came to *Pilate* saying, *Sir, we remember that that deceiver said while he was yet alive, After three dayes I will rise again; Command therefore that the Sepulchre be made sure till the third day, lest his Disciples come by Night and steal him away and say to the people he is risen from the dead: So the Last error shall be worse than the first: and they Judged right enough of the Last error Confounding more than the First, as it is the force of the Last motion from a Precipice that breaks a man in pieces; and this effect of the last error was presently exemplify'd in themselves; for they having caus'd the holy Sepulchre to be very strongly guarded, and the Door of it to be barricado'd with a very great Stone, and that Stone to be seal'd, and the Lord of Glory after all this overpowering the Grave and Guards, they had a Consult and gave the Guards Money to spread that *Shamme* in the World, that his Disciples did steal him away while the Guards slept, and saith *St. Mathew*, *this is reported among the Jews to this day*.*

And lo, as *Christ* did *rise for our Justification*, so did this *Subornation* used by those *Impostors* justify the truth of his *Resurrection*, which else could not so well have confronted the *Worlds incredulity*: for if after his *Resurrection* his Disciples believed not *Mary Magdalen*, *Joanna*, and the Mother of *James*, who told them that he had appear'd to them, and if the two Disciples that told the Rest that he had appear'd to them going to *Emmaus* were not believ'd by them, and if when he appear'd in the midst of Ten of them at once and shew'd them his hands and his side, *they believ'd not for joy*, and if when he appear'd to the Women and bade them tell the Disciples and *St. Peter*, that according to his Promise they should see him in *Galilee*, and if the Eleven Disciples went into *Galilee* to a Mountain which he had appointed them, and yet when they saw him there *they worship'd but some doubted*, and if *Christ* almost in his Last words *upbraided* them with their *unbelief*, because they believ'd not them who had seen him after he was risen, the *Pagan* and *Jewish* World would not have been brought so easily as they were to the belief of his *Resurrection*, the great *hinge* on which the *Christian Religion* turns, and without which the *Preaching* of the *Cross* would not so much have seem'd *foolishness* as been *madness*.

Thus did that *last Jewish error* prove most *fatal* to *Judaisme*, and as *Heaven*

ven was extracted by the Divine Power out of the Hellish act of Murdring the *holy Jesus*, so was the propagation of the truth of his Resurrection out of the Calumny, Subornation and Bribery used to suppress it, those artifices being so odious in the eye of the Law of all Nations, that they make any that uses them to gain infamy and loose his Cause, and to make sure of the hatred of one very Considerable Enemy, namely Mankind; and justly, for against that great Body is every one that professeth Calumny an aggressor, and has *proclaim'd War*.

And Granting that Nature is Constant to it self, and that conclusions of the working of the Passions in humane Nature in future times may be made from the pass'd, Our *Quintadecimani* (tho their Order seems in many political Principles to be *close compacted* like the *scales* of *Leviathan*,) by the publishing of the Tenets before mentioned and constant practice of them have brought themselves into the *shallows*, and they are like *Whales* on ground gazed on by the Critical World, and there labouring under the fatality of their own weight.

It has been observed by that deep Enquirer into Nature, *Monsieur Descartes*, that *Le bon sens est chose du monde, mieux partagée &c.* Nothing is more equally distributed by Nature among Men than Understanding and Reason, for every Man thinks he has enough: and of this opinion was Mr. *Hobbes* in that Chapter in his *Leviathan*, of the Natural condition of Mankind, Where he saith, *That as to the Faculties of the Mind there is a greater equality among men then that of strength: for prudence, saith he, is but experience which equal time bestowes on all men in those things they equally apply themselves to.*

That which perhaps makes such equality incredible, is but a vain conceit of ones own wisdom, which all mortal men think they have in a greater degree than the Vulgar, that is then all men but themselves and a few others whom by fame or for Concurring, with themselves they approve: for such is the Nature of men, that howsoever they may acknowledg many others to be more Witty or more Eloquent or more Learned, yet they will hardly believe many so wise as themselves: for they see their own witt at hand, and other mens at distance.

But this proves rather that men are in that Point equal than unequal: For there is not ordinarily a greater sign of the equal distribution of any thing, then that every man is Content with his share.

Admitting this great observation of those two great Masters of Witt and Philosophy to be true, One would suppose that Nature did not in vain implant in men such a general notion of their equality in Wisdome, nor without an intent of promoting the good of humane Society thereby. The God of Nature hath not only not given us any members of our bodies, but not the very hair of our eye-browes, nor even the hairs of our eye-lids in vain; for our eye-lids are fortify'd with those little stiff bristles as with *palisado's* against the assaults of *Flyes* and such like bold *animalcula*: and I may say, that that general Notion doth defend the Eyes of mens Minds from being too easily imposed on by particular Notions and Shammes occurring to us from any.

And as to that notion so universally planted in mens Souls by Nature, one may well imagine that what a Gardiner plants in every bed of his Garden, is no weed; and perhaps one great End of Nature in the general implantation of this principle in men may be The shewing them the folly and danger of their attempts, who think to engross that great Staple Commodity of the intellectual World call'd *Wisdome*, and to force others to buy that Commodity of which they think they have enough of their own by them, and especially when they see that others would force a trade on them by counterfeit Wares, and have been already branded for so doing.

The truth is, every man's life who pretends to a greater share of Wisdom than his Neighbour, is in the better state of security by this Notion before-mentioned; for if a man thought others by their Wisdom could render his ineffectual for his preservation, he would fear and hate them for their ability to hurt him: and as Toads tho' not Known to do any hurt are kill'd some times for the imagin'd pretious Stones in their heads, such might be the fate of men for the value of their Brains, and which *depreciate* the worth of others. I conclude therefore that any Order or Society must take what follows from being thought *Nusances* and *Enemies* to Mankind, and prepare for a political death or dissolution, who think themselves able by artifices to devalue men of the property they have in their Understandings, and to *out-wit* their *wisdom*, and who both hang out to the World a new light, and proclaim a new Law of *Nature* contrary to the old, (notwithstanding the out-cry of Nations that *nolumus legem naturæ mutari*;) and who *Calumniate* all that allow not the doctrine of *Calumny*, and *invent* Crimes to Cut off the heads that will not ly at their feet, tho' yet they can invent no crimes (even Regicide not excepted) but what the *Invention* of their *Theology* has made lawful, and think that an *hypothesis* may *renitente mundo* call it self *Religion* or *Politics*, which if it were universally receiv'd, would not leave the World one minute out of a *state of Warr*, for it *ipso facto* dissolves all *Pactions*, and cancels all *Allegiance*, and nulls all hopes of *Protection*; insomuch that in a *Gaming-house* that *agreed on cheating*, the *play* could not be worth the *candles* at a days end, and each of the cheaters must be reduced to *cheat by himself*; and thus too any one that makes fraud venial, cannot be sure that any participants with him in *Sedition* will keep their word; and he must rebel by himself too against an irritated world, that was never made only for any to play in and with, and which must needs with inconceivable regret see those men who make all accusations and testimony in nature *uncertain*, instrumental in the inflicting of the punishment of *Certain* death thereupon, and see a Religion that is dying a *Natural* death, make any Religious men dy by a *violent*, and observe that its inventors do in a *positive* and *dictatorian* way propound Principles that such *sturdy propounders* cannot themselves believe, till like *Geta*, a Citizen of *Rome*, who having long as a *disguise* wore a patch over one of his Eyes, he lost the use of it for ever, they have by habituating their Understandings long to *disimulation*, lost the use of their faculty of discerning.

And this is the Case between Mankind and the *Jesuits*, neither better nor worse, and is like to be the fate of these, and especially Considering that their Principles have both Weight and Numbers to Contest with, I mean the weight of Arguments, and the Numbers of their own and our Religion.

There is no Resisting the Power of Nature where those two things meet.

We see by frequent observation in our own Land, that the very *breath* of the people like that of a *Canon Bullet* proves destructive, and what then will not the breath of incensed Mankind do?

They have Numbers to Contest with that their Principles have infected with *Calumny*, who think it scarce a *Venial Sin* to pay any man in the false Coyn that was received from him, and who will be making it as lawful as they Can, not to play upon the square with false Gamesters: and as the strong are naturally apt to repel force by force, so are the weak, to repel fraud by fraud, and will be tempted to make an ill use of the *lex talionis*, and to account the pursuing of them with wild defamatory Reports to be but following them in their own Wild-goose-chace.

Jarrigius

Jarrigius in his Book printed together with that call'd the *Jesuits on the Scaffold*, saith, *While there was any thing of the League left in France, all the slight the Jesuits had to weaken the authority and elude the unavoidable accusations of the Pasquiers, the Servines, the Arnauds of that time was to persuade the Credulous people, that those incomparable Men were fautors of Calvinisme, and thereby imagin'd themselves sufficiently vindicated as to the horrid Crimes and execrable Parricides wherewith they were charged by those illustrious Officers of State in France, if in some wretched answers they accused them of heresie. So stale and senseless has that humour of the Jesuites been to call all that opposed them, Presbyterians.*

But any who reads the very Learned *Epistle of the Bishop of Lincoln to the discourse of the discovery of the Gunpowder Treason Printed in the Year 1670.* will find that he there Cites *Alphon. de Vargas Toletanus* for saying, *That all the Universities of Spain, in a Book against the Jesuits printed and sent to the King of Spain, give this Character of them, that they are fraudulent mendaces, veritatis interversores, Infamatores virtutis, Impostores Pietatis Velo operti, lupi in vestimentis ovium, Novitatum amici, Sanctorum Doctorum Contemptores, Lutheri & Calvini partiararii, ac de hæresi suspecti, pacis publicæ perturbatores, Diabolicæ Industriæ homines, serpentes, ipsiq; Cacodæmones ac ab omnibus Cavendi ac fugiendi: fraudulent, lyars, Corrupters of truth, defamers of Virtue, Impostors under a veil of Piety, Wolves in sheeps clothing, lovers of Novelties, Contemners of the holy Doctors, partners with Calvin and Luther, and suspected of heresie, troublers of the Public Peace, men of Diabolical industry, Serpents, and very Devils, and to be shun'd and avoided, or fled from by all men.*

Thus their hands and heads being against every one, by a tacit Paction and Confederation of Nature almost all mens are so against them.

They and other Casuists and Jesuited Papists have complain'd of Shammes and Calumnies put on them by Protestants in *England* since the Plott; and no doubt if they have not suffer'd in that kind, they may expect it, all Protestants having not attain'd to the temper of *St. Michael the Arch-Angel* to forbear *Railing accusations*, nor to the holiness of *St. Bartholomew*, who 'tis said by continual Prayer had his Knees as hard as a Camels.

I have read of an Antidote against the Poyson of Calumny and false testimony beyond what Protestants could Compass, namely, an Indulgence granted by Pope Innocent the 8th to every man and woman that bears upon him or her the length of Christs Nails wherewith he was fastned to the Cross, (the Just length of which was Nine Inches) and worships them daily with five Pater-Nosters, and five Aves and a Creed, that he or she shall have granted them, these great gifts: the first is that he shall never dye a sudden, nor evil death: the second is that he shall never be slain with the Sword or weapon: the third is, his Enemies shall never overcome him: the fourth is poyson, nor false witness shall never grieve him.

By my Consent every Protestant and Papist shall in this Pestilential time of Shammes Carry this Antidote about him; but whether this be a *Shamme-Indulgence* or no, and put upon the Pope, and invented by Some non-Papists, I know not. My Author for it is Mr. *John Gee, Master of Arts of Exeter Colledge in Oxford*, in his Book 4^{to} Call'd *New Shreds of the Old Snare*, p. 103. Printed at London in the Year 1624. In any such wretched Contention between the *fæx Romuli* and any of the Protestants here who should become most impure by Calumny, as the Protestants being much more Numerous than the Papists would be able to out-shamme them, and to make the more plain detections of the Shammes contriv'd by their Adversaries, it would likewise go the harder with any Sect, that the Majority of Numbers would thus run
down

down with Shammes in this Nation at this Conjunction of time, when the many swarms of those who offer at *Wit*, think they merit the being call'd *Witts*, by doing the exercise in a Coffey-house, Call'd *Battling*, that is, with a serious grave face, telling idle feign'd Stories *farced* with particular Circumstances to ensnare the belief of the Credulous, which kind of ungenerous triumphing over weak Understandings by ridiculous *Shammes*, is a false sort of *wit* and *humour* below not only the gravity of the *English* Nation, but the levity of the *French*, and used by none but *Fools* who stand for the place of being *Knaves*.

There is no doubt but the talent of these foolish Shammers as their interest and dependances or humors incline them to wish well either to Popery or Protestantism extending to abuse the belief of the unthinking Vulgar with little *romantic Stories* concerning those Religions, helps to Convey them into the *Press* which gives wings to these Shams presently to fly round the Kingdom.

If the Papists think the Press hath not in any of the Pamphlets it dayly spits, charged them with *Calumny*, and of Such a Nature as to bring universal odium on them by alarming the Kingdom almost as much as it could be by forrain invasion, and occasionally laying a Tax on men to buy what Arms for their defence the Law allowes, I will ask them what they think of one of our *printed Intelligences* that Came out on the 26th of February 168², wherein 'tis said, *Last Fryday came a Letter from Stafford, directed to one Bacchus Tenant to the Lord Stafford from one Wilson in Cheshire, but ordered to be left with one Finny of Stafford to be sent to the said Bacchus: but Finny observing Letters so directed to pass through his hands, and apprehending they might relate to some dangerous Correspondence, took the liberty to Open this, and therein to his great surprize found directions to Bacchus for burning of Stafford and several great Towns: upon which making a speedy discovery to a Magistrate, Bacchus was sent for, who after some evasions did confess he had received Letters to that purpose. And just now the said Wilson is apprehended and committed, and confesseth he was by the order of a Certain Lord, to fire Stafford, Drayton, Shrewsbury, Nantwich, Chester, Congerton, New-Castle Under-Line, and two more, and that he was to have 900 l. for firing those Nine Towns.*

I having never heard of any Proclamation or proceedings either of the Magistracy or Lieutenancy of this Kingdom after such an alarm of public hostility and of a Rebellion hatch'd in the Kingdom, nor of the last punishment inflicted on the pretended Certain Lord that was the General of those *Incendiaries*, did look on them under the Notion of an *Army in disguise*.

But whatever ground the Protestant Religion hath got or shall get by these poor means, I desire that it may go to the Next occupant; for not only the ayr it exhales is Pestilential, but it includes that ayr in it which may produce Earthquakes, which dangers therefore the New Popish or Jesuited Religion must be exposed to by the ayr of Shams and Calumnies.

My Lord, I shall here entertain your Lordship with somewhat very Remarkable out of the *Book of Father Parsons of the Succession*, whereby you will see that instead of Allowing the *oportet esse hæreses*, he doth in effect tell us, that while the Kingdom has two Religions in it, *oportet esse Calumnias*: that great Jesuite having with much agility danced on the high rope as to the *Casistical* part of the *Question of the Succession*, affects to do it too in the *Politics*, but mis'd his *Center of gravity* in his motion both as a *Divine* and a *States-man*, and did shamefully fall in either Capacity, as your Lordship will find by the reading of his words. He saith, p. 217. being near the Conclusion of the first part of his Book, *And thus much now for matter of Conscience.*

science. But if we Consider Reason of State also and worldly Policy, it Cannot be but great folly and oversight for a man of whatsoever Religion he be, to promote to a Kingdom in which himself must live one of a Contrary Religion to himself: for let the bargains and agreements be what they will, and fair promises and vain hopes never so great, yet seeing the Prince once made and settled, must needs proceed according to the Principles of his own Religion, it follows also, that he must Come quickly to break with the other party, tho he loved him never so well (which yet perhaps is very hard if not impossible for two of different Religions to love sincerely) but if it were so, yet many jealousies, suspicions, accusations, Calumniation, and other aversions must needs light upon the Party that is of different Religion from the State and Prince under whom he lives, as not only he Cannot be Capable of such Preferments, Honours, Charges, Government and the like, which men may deserve and desire in their Commonwealth, but also he shall be in Continual danger, and subject to a thousand molestations and injuries, which are incident to the Condition and state of him that is not Current with the same Course of his Prince and Realm in matters of Religion; and so before he be aware, he becomes to be accounted an Enemy or backward man: which in Mind he must either dissemble deeply, and against his own Conscience make shew to favour and set forward that which in his heart he doth detest, which is the greatest Calamity and Misery of all other, tho yet many times not sufficient to deliver him from suspicion; or else to avoid this everlasting perdition, he must break with all the temporal Commodities of this life, which his Country and Realm might yield him; and this is the ordinary end of all such men, how soft and sweet soever the beginning be.

This Jesuite (who was before mention'd to have been Call'd one of the greatest Men that his Order has produced) was here (it seems) a States-man in his heart, and no More: and has very honestly foretold all Protestants that shall live under a Prince of another Religion, how dishonest Roman Catholics will prove to them. The Jesuite was here an *Almanac-maker*, who predicted nothing to Protestants but *Lightning and Thunder*, and too the Continual *Raining of Snares upon them during such a Conjunction*, and the causing each of them to be with the darts of Calumny and obloquy for ever stuck round like the figure of the man in the *Almanac*: but how foolish *Father Parsons* was to write this when the Protestants had the Ball at their foot, and when he could not be sure that the Papists would ever arrive at the state, to have it alwayes at theirs, let any one Judge. He had before used that rhetorical expression, that *so the Ship be well and happily guided, I esteem it not much important of what Race or Nation the Pilot be*, but he was extremely impolitic, by so early and public an alarm to notify it to many who thought that embarked in the Civil Government of a Prince of any Religion, they might be safely transported from this World to the Next, that Popish Masters of the Ship have determin'd before-hand to throw all heterodox Passengers overboard, and their own Oaths and engagements to them likewise.

But what ever person takes a *promissory Oath* with an intent of not keeping it, may well be Concluded as actually guilty of perjury in the Court of Heaven, as he who knowingly takes a false *assertory Oath*. They have both equally presumed to try by solemn lying to weather the fear of Divine Omnipotence and Omnipotence, and both their *assertory* and *promissory Oaths* are of equal weight in the ballance of humane judgment.

And because I think the Argument will hold from the falsity of their Oaths *promissory* in this their *dernier Resort* aforesaid, to the obtaining the Worlds Sentence against the truth of their Oaths *assertory*, I shall entertain your Lordship with an instance of one of the Church of Rome, of whom it may be said, that a Greater than *Father Parsons* is here, to vindicate the

making of Oaths *promissory* with an intent of breaking them, and 'tis Pope Clement the 8th, of whom *Alexandus* saith in his *Chronology* of Popes, that he was πολιτικός, the 'O Politician, as I may say, of whom D'Ossat in his Third Book, Letter 81, viz. to Villeroy in the Year 1597, speaking there how he had discover'd the Popes Inclinations, that the King of France should break with England, and that he told his Holiness that the King's making a particular profession to keep his word would not suffer him to break that Alliance that had been so lately renew'd and sworn, saith, that the Pope thereupon reply'd, That that Oath was made to a heretic, and that his Majesty had made another Oath to God and the Pope: And further mentions what the Pope had told him at other times and in the precedent audience, That Kings and Soverain Princes did permit to themselves all things that turn'd to their profit, and that none blamed them for it or took it ill from them, and alledged to that purpose a Saying of Francisco Maria Duke of Urbin, who was wont to say, That if a plain Gentleman broke his word he would be dishonour'd by it; but that Soveraign Princes for Reason of State without any great blame might make Treaties and break them, and Mentir, trahir, & toutes telles autres choses, i. e. Ly, and betray, and do all things of that nature: whereupon saith D'Ossat, I had but too much to reply to that, but I did not think it my duty there to stay my self in a place so slippery. But toward the close of the Letter he adds, By what is abovesaid you see tho the Pope has no disrespect for the King of France, nor any love for the King of Spain, yet the hatred that he has for Heretics, transports him so far, that he lets fall from his Mouth (tho under the Name of another) some pernicious Maximes unworthy of an honest man, and that the Pope accounts all ways good for his Majesty to break with his Allyes, because they are not Catholics, altho those ways are infamous. I am so far a Concurrer with that Pope, as to think that according to the Law of Nature and Nations, the Oath and Promise to the first of any Prince's Allies is most obligatory; and therefore the Pope doth very honestly notify his opinion, that Harry the 4th intended not to keep any promissory Oath Contrary to that made to God and himself. But the Pope mistakes the *factum* of that Great Prince's Oaths; and 'tis for the honour of the Roman Catholic Religion, that it has left to Posterity so great an instance of a Protestant Prince turn'd a Papist, and Continuing kind to the persons of Protestants. But they owed no thanks to the Pope or Jesuites for his making or keeping Promises and Alliances with Protestants. The Bohemian History tells us how Ferdinand about the Year 1617, before he was possesst of that Crown, did by Oath bind himself, that Matthew being alive he would not meddle with any of the affairs of Bohemia, much less with Religion: but immediately after his Coronation, he going into Moravia to receive homage, the Jesuites erected at Olumacium a Triumphal Arch, and painted on it among the Arms of Austria, the Lion of Bohemia tyed to it with a Chain, and the Eagle of Moravia with a sleeping Hare lying with open Eyes, and this Emblem writ under it, I have practised. But the Year following, a new erected Academy of Jesuites spoke out in Print, that tho Ferdinand at his Coronation took an Oath to the Heretics, yet first he left it in the Vestry of the Church, that he would not suffer Heretics to prejudice the Rights of holy Church.

But I believe I may without offending any Candid Papists, say of that Pope, that when he discours'd as that Letter mentions; the glory of his Infallibility shined not out of his Mouth, as Porphyry said that Plotinus his Soul did when he spake.

The Story is trite concerning a Popes Excommunicating a Bishop of his Church, for owning that there were *Antipodes*; but there is a sort of greater Excommunication that any Jesuited Papists are to expect that are the *Antipodes* to ingenuous Mankind, and who make Assertory or Promissory lying to be

be venial, or lawful, and that is thus to be *excluded* from the *Communio fidelium* (tho without the Ceremony of lighting Torches and extinguishing them), namely, by Gentlemens forbearing to keep them Company, and *esteeming them worse than Publicans or Heathens*, and accounting it neither safe nor honorable to Correspond with the Enemies of Mankind; and this is the Sentence, namely that of a kind of *Civil Excommunication* or seclusion from ingenuous mens *Conversation* that they are likely to obtain in *England* after all their charge and pains in their *dernier Resort*, and the having seen the *birth* of their Plott confounded, and the *after-birth* of it, namely its Shams thrown away.

Since No *injury* wounds so much as a *Contempt*, and since they by trampling on our Understandings with More pride than ever *Bajazet* walk'd over the dead heads of Christians, affect to try to bring us implicitly to believe their Shammes, they are to thank themselves for our not giving decent burial to any of their undecent Plotts, and for the exasperating any Protestants by *despising* them, and endeavouring to *impose* on their Understandings as some did on a *raw* young Country Gentleman, whom one day treating at a *Puppet-shew*, they persuaded that the Puppets were living Creatures, and after he had found out his gross ridiculous misconceit therein, they on the following day attending him to the *Theatre*, engaged him to believe that the *Actors* were *Puppets*: I mean, their endeavoring to make us believe that Sham-Plots were real ones, and that a real one was *Shamme*.

I shall never wonder at the encrease of the passion of anger incident to humane Nature even in great and generous Souls, on the occasion of gross Calumnies invented against them about a matter of weight, when I consider the Example of the Great *Royal Prophet*, a Person of a great Understanding, and of so great *Courage*, that he was not afraid of *Ten thousands of men who set themselves against him round about*; and tho an *Host* should encamp against him, his heart would not fear, and a Man that had in his Nature and temper the Gentleness of a Lamb mixt with the stoutness of a Lyon, and one to whom the Divine Promise had ensured a Kingdom; and yet was he by the *Sycophancies* and little *Shammes* rais'd against him by *Saul's* great Courtiers, wrought to so high a pitch of anger, that he did with exquisite forms of *imprecation*, and such as perhaps are not to be found in any other Story, frequently devote those Calumniators to the most dire Miseries his fancy could lead him to express. But the Cause of his being so highly provoked by those that would turn his glory into shame, and did seek after leasing, and whose deceitful tongues used all-devouring words, as he saith to *Doeg the Edomite* in one of his *Psalms*, (and whose tongue he there sayes did devise mischiefs, like a sharp razor working deceitfully) may be ascribed to the *Shammes* of his Enemies wounding him in the most sensible Part, namely the Reputation of his *Loyalty* to his *Prince*, whose Life he spared when 'twas in his power to destroy him, and who was so far from the use of *Shammes* against him, that he doom'd the *Amalekite* to dy, that sham'd himself the author of *Saul's* death.

And therefore No marvel if the Calumnies of Jesuited Papists attacking Protestants in that Case too of their Fidelity to their King, render the passion of anger in them against those Shams so intense and vehement. And tho the *English* Courage or a very little Philosophy would help them to bestow only a generous neglect on other Calumnies, they can never forget those that strike at the heart of their allegiance, and consequently of their Religion that so strictly enjoyns it. Nor if according to the Example of that great man after Gods heart, who said, *Away from me all ye that work vanity*, and who would have No *lyer tarry in his sight*, is it to be admired if every true *English* Protestant

testant shall say too, *odi Ecclesiam malignantium*, and shall seclude all *dictators* of Calumny from his company, and banish them home to their own.

And tho the abuse of Excommunication by the Papal Church and Presbyterian hath been so horrid, that the primitive use of it is in a manner lost and grown obsolete, yet will that which includes somewhat of the Nature of it be still kept alive in the World by *private* persons who practice the Christian Religion they profess, (and to whom tho the Precepts of the New Testament have not given that hateful thing to humane Nature in charge, namely to be Informers, or Promoters, or judicial accusers of any of Mankind, accordingly as under the *Mosaic* oeconomy 'twas said, *Tu non eris criminator*, yet have they obliged them to *withdraw themselves from men of corrupt minds, and destitute of the truth, and not to eat with any one who is call'd a Brother and is a railer, and to turn away from men that are trace-breakers, and to mark those who cause divisions, and to avoid them, and to reject a Heretic who is subverted and self-condemned,*) and by men of Cultivated educations and tempers, who value themselves on the Company they keep, and on it are valued by the World, and will therefore abandon or excommunicate from their Conversation such *Monsters of men*, who have renounced the obligations of humane society, and who are guilty of Notorious *Contumacy* in matters that concern the very Salvation of Souls, and the Safety of Kingdoms. The being *staked down* therefore to a Narrower *Tedder* in Conversation, or being Civilly Excommunicated from Protestants Company, must by necessity of Nature, in my opinion, be the *fate* of our Jesuited *make-bates* and *criminator*s of Protestants that have been so unweary'd in raising Jealousies between the King and his People, and between Protestant and Protestant; and all such that go to part whom God and Nature and Interest have joyn'd, will probably come at last to be the *derelicts* of humane Society when they shall Come to be *understood*, and especially when there shall be that good *understanding* between Protestants here of several persuasions that may be expected to arise from their having found out the authors of their divisions, and seen how ridiculous *Protestants* have been in the view of the World while they have appear'd like the *Cat* to draw one another through the Pool, and the Jesuits and their Pensioners stood behind undiscern'd, and pull'd the Rope.

My Lord, I know we may justly fear that *Popery* may during some *turbid* intervals gain ground in *England*, and as the Renowned Historian of our Reformation hath in a public Sermon Judiciously observed, that *Sure none believed themselves when they say we are not in danger of Popery, and none can think it but they who desire it.*

But without presuming to make my self one of Heavens Privy Counsellors, and without pretending to a spirit of Prophecy, I shall on the *basis* of the Course of Nature ground this affirmation, *That whatever alterations Time can Cause, yet while the English Nation remains entire and defended from Foreign Conquest, the Protestant Religion Can never be exterminated out of this Kingdom, nor the public profession of it suffer any long interruption therein.*

I will grant it possible that hereafter under a Prince of the Popish Religion, *Popery* may like the *vibration* of a *pendulum* among Certain persons have the greater extent in the return of it, as *Becket's Image* was by *Gardiner* set up in *London* μετὰ πολλῆς φαντασίας, with much pomp in *Queen Mary's time*, after its being pull'd down in *Harry the Eighth's*, and himself unfainted, and some people may undertake devout Pilgrimages hereafter to some such Images and Reliques as my Lord *Herbert* saith were in *Harry the Eighth's time* exploded, and we may again hear of our *Lady's Girdle* shewn in eleven several places, and her
Milk

Milk in eight, the Bell of St. Guthlac, and the Felt of St. Thomas of Lancaster both Remedies for the head-ake; the Pen-knife and Books of St. Thomas of Canterbury, and a piece of his Shirt much reverenc'd by great belly'd women; the coals that roasted St. Laurence; two or three heads of St. Ursula, Malchus his Ear, and the paring of St. Edmund's Nails, and likewise the trumperies of the Rood of Grace at Boxly in Kent, and in Hales in Gloucestershire, things named as trumperies in p. 495, and 496, by Herbert in that History, and as adjudged to be such by H. the 8th.

And no doubt but the Number of such would be very great, who having great Summs of Money given them, would be content to offer small ones in Devotion to such Images; and many Candidates for preferment, among some that now look big for, and among Dissenters that look big against the Church of England, would produce *Certificates* of their *Constant good affection and Zeal* for the Roman Catholic Church; and any *Legate* that came to reconcile us to the Church of Rome, would be thought by many to have brought the *Holy-Ghost* in his *Sumpters*, tho we know what the Inside of *Campegius* his was made of.

It is moreover possible that Protestant writers may come not to have that freedom of the Press that Popish now have, and all the luxury and wantonness and humor of the Press in sending forth innumerable Pamphlets against Popery, in this Conjunction, may perhaps prove but like the jollity of a *Carnival* to usher in a long melancholly *Lent*.

I will grant, that 'tis possible the Writ *de hæretico Comburendo* being now Abolished that destroyed so many Protestants by *retail*, certain bloody men may find some Invention to destroy them by *wholesale*, and to something of that nature Bishop *Ushers* Prophecy referred, of the Raging Persecution of Protestants yet to come and not lasting, and when their enemies will *ipsam sævitiam fatigare*: and in the violence of such predicted cruelty not being long lasting, that great Prelate erred not from the Nature of things more then he did when he Prophecy'd of an *Irish* Rebellion Forty years before it hapned, for that usually happens once in so many years through the force and numbers of the *Irish* within that time outgrowing the *English*, and their allowing themselves the repossession of their Estates by that time as a *Jubile*.

I will further grant, that the discipline of our Church (of which I think the *Constitution* is the best that the world can shew) may be Crusht, as I said before, and our Dissenters then in vain wish that they had the *tolerabiles ineptiæ* (as your Lordship knows who imperiously call'd them) in the Room of the^{sa} intollerable abominations of the Mass; and 'tis possible that divine Justice and Power may permit the doctrine as well as discipline of our Church to be suppress'd totally and finally in this Realm, and that the prediction of that Great Man of God who since his death has been as generally styl'd the *Judicious*, as *Lewis the Just* was elsewhere so vogued (I mean Mr. Hooker) may impress a deep horror and a too late repentance on us, who in his 5th Book of *Ecclesiastical Polity* in the end of the 79th Paragraph p. 432. of the old Edition, speaking of the ill affected to our Church, saith, *By these or the like suggestions receiv'd with all joy and with all sedulity practiced in Certain parts of the Christian World, they have brought to pass that as David doth say of Man, so it is in hazard to be verif'd concerning the whole Religion and Service of God, the time thereof peradventure may fall out to be Threescore and Ten years, or if strength do serve, unto Fourscore: what follows, is likely to be small joy to them whatsoever they shall be that behold it.* Mr. Hooker did first print his 5th Book in the year 1597. (the first four of his *Polity* being before printed in the year 1594) and so the period of *Fourscore Years* in his prediction was in the Year 1677.

Thò that good man pretended not to be a Prophet, yet according to the old saying, *μάντις ἀρίστος ὅστις ἐκάζει καλῶς* i. e. *he is the best Prophet who can guess well*, both our Church of England and the Dissenters and Papists too have found that Mr. Hookers prudence had so much divination, and his divination so much prudence, that the small joy with which they have beheld the external face of Religion here since 1677. hath shew'd us that he guess'd shrewdly.

I have only affirm'd, that *humanly speaking*, and according to the common course of nature, Popery cannot be the overgrown National Religion of England, but am not ignorant that the sacred Code hath given us instances of Omnipotent power punishing even Heavens peculiar people by the Course of Political and Ecclesiastical Power running out of the common Channel of the Nature of things, and particularly by a succession of Ten evil Kings one after another. For thò humane Nature is so inconstant, and men generally so apt to reel from one extream to another, that the World growes as weary of the prevalence of Vice as of Virtue, and after a long age of Dissoluteness and Luxury, a Contrary humour reigns as long in the World again, a humour that then excludes all *Voluptuaries* from Public Trusts for an Age together; (and a humour of which I think we now see the Tide Coming in) and thus ordinarily scarce any Kingdom hath more than two or three good or bad Princes successively for any considerable space of time; Yet after the *Ten Tribes* had made their defection from the Line of the House of David, they were punish't by a Succession of *Ten Kings*, and not one good one in the whole number, thò some of them were less ill than others; so that no Marvel if the weight of the impiety of so many successive ill Princes sunk them into the power of the *Assyrians*; and to this their doom, that passage in the Prophecy of *Hosea* refers, which the vulgus of the *Scriblers* against Monarchy so Miserably detort and wracke (as I may say) to their own destruction, namely, *I gave thee a King in mine anger, and took him away in my wrath*; for the Prophet there had not his Eye on *Saul*, or on a particular Person, but on the whole succession of *Kings* after their Rent from *Juda*, from *Jeroboam* to the Last under whom the Catastrophe of their Captivity was. Such Kings were given them by Heaven as were proper Instruments of Divine wrath; and when they were took away from the Stage, 'twas that other worse might enter and make their Condition more Tragical.

But *secret things belonging to God*, I pry not into the *Book of Fate*, but Confine my sentiments alone to the *Book of Nature*.

In an *Excellent Sermon* of the Dean of *St. Pauls*, 'tis with great Piety and Prudence said, *We have liv'd in an Age that has beheld strange Revolutions, astonishing Judgments, and wonderful Deliverances.*

What all the Fermentations that are still among us may end in, God alone knows.

I only as a Philosopher Considering that the Properties of humane Passions have as Necessary effects in Minds, as gravity or lightness have in Bodies, and that let men intend what *male administration* they will, things will not be ill administred, do think that the fermentation now in the Kingdome will not end but with Popery it self here ending. And that I may not seem to stand alone in this my opinion, I shall entertain your Lordship with that of An *Excellent Philosopher and Divine*, the *Author of the History of the Royal Society*, who there having said, *that experimental Philosophy will enable us to provide before-hand against any alteration in Religious affairs which this Age may produce*, he goes on thus, *If we Compare the changes to which Religion has been alwayes subject with the present face of things, we may safely conclude, that whatever Vicissitude shall happen about it in our time, it will probably be neither to the*

the advantage of implicit Faith, nor of Enthufiasme, but of Reason: the fierceness of violent inspiration is in good Measure departed: the Remains of it will be soon chased out of the World, by the Remembrance of its terrible footsteps it has every where left behind it.

And although the Church of Rome still preserves its Pomp, yet the Real authority of that too is apparently decaying. It first got by degrees to the Temporal Power, by means of its Spiritual, but now it upholds some shadow of the Spiritual by the strength of the Temporal dominion it has obtain'd. This is the present state of Christendome: It is impossible to spread the same Cloud over the World again.

The Universal disposition of this Age is bent upon a Rational Religion. And therefore I Renew my affectionate request, That the Church of England would Provide to have the chief share in its first adventure, that it would persist as it has begun to encourage Experiments which will be to our Church as the British Oake is to our Empire, an Ornament and Defence to the Soil wherein 'tis planted.

This Author therefore with such Vigour of Reason passing his sentence concerning any Vicissitudes here not happening that will probably Conduce to the advantage of Popery or Enthufiasme, I hope your Lordship will acquit me both of Singularity and Enthufiasme as to the opinion I have given, especially since I only profess it to be founded on Natural Reason, and do only Consider the God of Nature, when I think that a Religion that is of God will stand.

'Tis not unknown to Your Lordship, that Columbus being in chace of the New World, and Cast among some barbarous Islanders that deny'd him the hospitality of their Port, and freedom of Commerce, he Knowing that they worshipt the Moon, and that it would shortly be Eclips'd, tho he was neither Prophet nor Prophet's Son, aw'd them out of their inhumanity, by foretelling that the Moons deity would be shortly obscur'd: and when ever I acquaint any Roman Catholics with my Judgment of the Nearness of their Religion to an Eclipse, I intend no more enthufiasme in my prediction, then Columbus did in his, and design nothing worse neither by mine then he by his, namely the reconciling them to humanity and a fair intercourse with Mankind.

*'Twas in the middle of the Worlds long night of barbarisme and ignorance that Popery was in its Meridian, and for hundreds of years all the Learning that busy'd the World referr'd to Judicial Astrology, Rabinical Resveries, School-Divinity, Latine Rhimes in praise of the Saints, Compiling of Legends, to Monks Histories of Ecclesiastical affairs, and the times they liv'd in (but so partial and so full of ridiculous and incredible Stories, that we have a better and truer account of the times when Alexander and Julius Cæsar liv'd, then of the times of Constantine and Charlemain) to gelding of the Fathers writings, and purging away their Gold, Regulating the Hoods, and Hose, and Shoo's of Monks, to inventing of Ceremonies and mystical vestments, and fantastic geniculations, to the making of the Popes brutish Canon Law, and the Commenting thereon in barbarous Latine by Doctors of the Decrees and Decretals, and to the Commenting on Aristotle by those that could not read his Text, and the Commenting likewise on the New Testament by such as knew no Greek (insomuch that 'twas then a proverbial saying among those illiterate Writers, *Græcum est, non potest legi*) to quiddity, esseity, entity and such titivilitium, and to *eus rationis*, that did (as I may say) destroy the being of Reason, to the improvement of one sort of Mechanics, Viz. by making Images in Churches with little engines and librations turn the eyes and move the lips like the forementioned Rood of Grace at Boxley in Kent (and which was by Bishop Fesher exposed as a cheat at St. Pauls Cross at the time of its being there*

there broke in pieces) while their great *Real* Design was to make the Layety but the Churches *automata*, as brute Animals may not improperly be said to be God Almighty, to the Composing *Paschal Epistles* about the time of the Celebration of *Easter*, a Controversy (as our great Mr. *Hales* saith) that caused as great a Combustion as ever was in the Church, and in which fantastical hurry all the World were Schismatics, and about which Monk *Austin* was so quarrellsome with the Britains, when the difference was not in doctrine but in *Almanac Calculations*, and about which after the infallibility of the General Council of *Nice* had given a Rule in the Cause, the World was yet so much in the dark, that the Bishops of *Rome* from year to year were fain to address to the Church of *Alexandria's* Mathematicians for directions as to the week *Easter* was to be kept in.

And during this long night, Millions of mankind were brought into the World only to sleep out their span of time, and to have day-dreams of Knowledge, or rather a profound *Docta Ignorantia*; and men were by dignities rewarded proportionably for their sleeping longest: according to what the *Chronicon Frideswidæ* mentions of *Guimundus* a Chaplain to our King *Henry the First*, who in the Celebration of holy offices reading before the King that place of *St. James*, *non pluet super terram annos III, & menses VI*, thus ridiculously distinguished the Notes in his reading, *non pluet super terram, annos, unum, unum, unum, & menses quinque unum*, and the King asking him afterward, why he red so? he answered *quia vos in ita tantum legentes beneficia & episcopatus Confertis*.

No marvel then if during that long gross and palpable Darkness of the World, the Pope travesty'd those words in Scripture about Gods making the two great lights, to serve his turn against the Emperor, tho yet the attempt to prove the Popes Supremacy out of the first Chapter of *Genesis*, is as extravagant as his who would prove the Circulation of the blood out of the first Chapter of *Littleton*.

And as the Roman *Breviary* tell's us of *S. Thomas* very gravely, that when once he was vehement in prayer before a Crucifix at *Naples*, he heard this voice, *bene de me scripsisti Thoma*, none likewise in that age laugh't at the Pope for saying *bene de me scripsisti Moses*. The world then brought no *quo warranto* against the Popes Charter derived thus in his Canon Law from *Moses*, nor that gloss on it which says, *Since the Earth is seven times bigger then the Moon, and the Sun eight times bigger then the Earth, the Papal Power must Consequently be fifty seven times bigger then the Regal dignity*.

Our English World will no more allow of the logical Consequence of that doughty argument of *Bellarmino* (*Lib. I. de Pont. ca. 2. sect. denique, & sect. sed.*) *There is one King among Bees, therefore there ought to be one Commander, chief Teacher and visible Monarch in the Universal Church*, then they would allow that argument of the Bees to give our neighbour Monarch a right to an Universal Temporal Monarchy. The Popes vociferating of that Text, *Behold two Swords*, and while their adherents held so many Thousands in their hands, might then pass muster for as good an argument of his right to Spiritual and Civil power, as the words, that the *Lillies spin not*, did for the *Salic Law* with the help of another Army then one of Commentators.

The Renewall of the Popes Charter by *Pasce oves*, was not then disallowed either for the fleecing of many Millions of Christians, or killing some hundreds of thousands in the German Empire, according to what has been observed by the famous *Erastus* in his *Theses*, p. 72. *& propter excommunicatos Imperatores & Reges, aliquot Centena millia hominum trucidata sunt in imperio Germanico.*

And

And perhaps the *Popes plea* for making the *World* a great *Slaughter-house*, might then be admitted by the authority of the *Text*, *Arise Peter, kill and eat.*

Ambulabis super aspidem & basiliscum then went for a claim of Divine Right, to make the *head* of the *World* to be trampled on by the *foot* of a bald-pated Fryar.

But if the *Papacy*, the *light* that was in the *World* then was *darkness* (as the *Scripture Expression* is,) *How great was that darkness!*

And as the *Popes* continued *art* was then to Conceal *Nature*, so 'twas not then held *tanti* for *art* in others to be Curious in following *Nature*, when an Opinion was imbibed that the *Pope* could change the very *Nature* of things, according to that saying, I have been shewn in the *Canon Law*, glo. in C. *proposuit. de Conc. præb. c. 5. de transl. ep. Papa mutare potest rerum substantialia & de Justitia injustitiam facere, mutando & Jura corrigendo, adeoq; quadrata æquare rotundis et rotundis quadrata.*

And for my part, I should not have repined at the *Popes* assuming to himself the honour of the *light that rules by day*, if he could have *illuminated* the *World* with the *demonstration* of the *quadrature of the Circle*, which that *gloss* pretends to; a great *Knowable* thing, as *Aristotle* said, tho not *known*, and which secret all the *penetrating* *Mathematicians* from *Archimedes* down to Mr. *Hobbs*, have wooed with very great *passion* and could not enjoy.

But during the *Egyptian plague* of *darkness* that many Ages then lay under, our famous Countreyman *Wicliff* alarm'd the *Lethargic World*: and he assail'd several gross Errors of *Popery* with its own weapons of *Metaphysics* and *School Divinity*, and by means of the noise his Two hundred Volumes made in the *World*, he dispers'd a great *terror* in that dark Age; and as one saith, *Sir John Old-Castle*, *Lord Cobham* and the *Lollards* being awaken'd out of their first sleep, were desirous to rise before it was day, and before the appointed time was come for the *Reforming the abuses in the Church*: and between that time and morning, most men fell asleep again as fast as ever: but yet long before the dawn of the *Reformation*, the doctrine of *Wicliffe* had made such a fermentation in our *English World*, that in the Year of our Lord 1422, that great States-man *Chichley* Archbishop of *Canterbury*, in a *Letter* to *Pope Martin* the Fifth, Complain'd, *That there were then so many here in England infected with the heresies of Wicliff and Husse, that without force of an Army they could not be suppress*: Whereupon the *Pope* sent two Cardinals to the Archbishop to Cause a *Tenth* to be gather'd of all *Spiritual and Religious men*, and the money to be Laid in the *Chamber Apostolic*; and if that were not sufficient, the residue to be made up of *Chalices, Candlesticks, and other implements of the Church*, as the *Acts and Monuments* Attest.

And it is not unknown, that long before, viz. in *Harry* the Fifth's time, *Chichley* foreseeing that a Storm was coming from the *Commons* on *Church-Lands*, diverted it, by engaging *England* in its darling popular War with *France*, and caus'd the *Clergy* to contribute very liberally to it.

But that fermentation that *Chichley* said could not in the Year 1422 be checkt in peoples Minds otherwise then as aforesaid, soon out-grew the power of any Army to allay; for in less than Thirty years afterward, the *Invention* of *Printing* came into the *World*, by which one man could transmit more notices of things in a Day, then another could by writing in a Year, and which did as much out-do the publication of notions by the *Goosquill*, as the *invention* of *Gun-powder* did the killing Force of the *gray-goose-wing*, and which did, as it were, revive the old *Miracle* of the *Gift of Tongues*, (and *Cloven* too I may Call them, for their being divided from the *Sentiments* of the *Papal Holy Church*) and made Learning begin to fly like lightning through the

World to the Controuling and detecting of the Popes Excommunicating Thunder, and which shew'd the World its true face in the stream of time, and shew'd the greet *Fisherman* of *Rome* dancing in the Nett, and which was the true *speaking* Trumpet, whereby a single Author could preach to the *diocess* of the World.

And that great birth of Fate the taking of *Constantinople* within three years after the *Invention* of Printing, occasioning the World's acquiring the knowledge in the *West* that it lost in the *East*, and dispersing the *Learned* Greeks, *Theodore Gaza*, *John Lascares*, *Manuel Chrysoloras*, and many others to teach the Greek Tongue where they went, the *Press* was thereby furnished, with *Glad* tidings for the Curious World, and *Erasmus*, and many learned Papists, did soon imbibe the knowledge of that learned Language, and he complained in a Letter to the *Archbishop* of *Mentz*, *That the Friars would fain have made it Heresy to speak Greek*.

So pleasant was it then to consider that that barbarous Generation instead of knowing Heresy to be *Greek*, voted *Greek* to be Heresy, and that they who had murdered so many thousands for being *Heretics*, knew not what the very word in its original language imported.

The Sagacity of *Erasmus* could not then but easily see through the *Cobwebs* of the *School-Divines*: *totam Theologiam a Capite usque ad Calcem retexuerunt, & ex divina Sophisticam fecerunt aut Aristotelicam*, saith he in *vitâ Hier. præfixâ ipsius operibus*. And *Doctor Colet* the *Dean* of *St. Pauls*, (whom *Erasmus* often in his *Epistles* calls *præceptorem unicum & optimum*) did as *Erasmus* saith in his *life*, account the *Scotists* dull Fellows and any thing rather than ingenious, and yet he had a worse opinion of *Aquinas* then of *Scotus*. And tho *Luther* had angred *Harry* the 8th. by speaking contemptibly of *Thomas Aquinas* whom that King so highly magnified that he was call'd *Rex Thomisticus*, *Collet* was not afraid to Pronounce in that case as *Luther* did.

And here it may not by the way be unworthy of your Lordships observation as to the concert that is between the *Genius* of one great *Witt* and another, that *Erasmus* and *Mr. Hobbs* had the same sense of *School-Divinity* and *School-Divines*: For *Mr. Hobbs* in his *Behemoth* or *History of the Civil-Wars* speaking of *Peter Lombard* and *Scotus* saith, *That any ingenious Reader not knowing what was the designe of School-Divinity* (which he had before said was with unintelligible distinctions to blind Men's eyes while it encroach'd on the Rights of Kings) *would judge them to have been two the most egregious block-heads in the World, so obscure and senseless are their Writings*.

The *New Testament* was no sooner open'd and read then in *Erasmus* his translation and in the *English* Tongue, but the Popes *Cards* were by the Clergy that playd his game thrown up as to all claim of more Power here by the word of God then every other forreign Bishop had; and both our Universities sent their judgments about the same to the King, which methinks might make our Papists approach a little nearer to us without fear of infection; for we allow the *Bishop* of *Rome* to have as much Power by the Word of God as any other *Bishop*; and 'tis pittty but that Judgment of our Universities were shewn the World in Print, and sent to the *French* King, and particularly the *Rescript* or Judgment of the University of *Oxford* as not being any where in Print (that I know of) but in an old Book of *Dr. James's* against *Popery*.

Cromwel the *Vicegerent* to *H.* the 8th. had (as *Fuller* saith in his *Church-history*) got the whole *New-Testament* of *Erasmus* his translation by heart: but the sore Eyes of many of the Clergy were so offended with the glaring-Light the *New-Testament* in Print brought every where, that instead of Studying it as that great *Primier Ministre* did, they only study'd to suppress it: and thus

thus Buchanan in his *Scotch History* saith that in *H.* the 8ths time, *tantaque erat cæcitas ut sacerdotum plerique novitatis nomine offensi, eum librum a Martino Luthero nuper fuisse Scriptum affirmarent ac vetus testamentum reposcerent. i. e. They look'd on the New-Testament as writ by Martin Luther, and call'd for the Old Testament again.*

And the truth is, if Luther had then set himself to have invented and writ a model of Doctrines against Justification by works, and redeeming our vexation from wrath divine by Summs of Mony, and against implicit Faith and many gross Papal Errors, he could not possibly have writ against them *in terminis terminantibus* more expresse then the Writers of the New-Testament did.

But the New Testament was then newly opened, and the legatees permitted to read the whole Will over translated into a language they understood, after they had been long by fraud and force kept out of their legacies by the Bishops Court of Rome, whose Artifice had formerly in effect suppressed that Will: and that inestimable legacy of liberty from all impositions humane being particularly shewn to Mankind, there was no taking their Eyes off from this Will, nor taking it out of their hands, nor suppressing the study of the Greek language it was originally writ in.

King Harry the 8th. had received his Legacy thereby, who before was but a Royal Slave to the Pope; and the triumph of an *Æpurgæ* was echo'd round his Kingdom, like that of Archimedes, when he had detected the Imposture that had mingled so much dross in the Sicilian Crown.

'Tis true he retained the profession of several Papal Errors, and such as he being vers'd in School-Divinity knew would still keep themselves in play in the World with a *videtur quod sic, & probatur quod non*, accordingly as the learned Dr. Jones has observ'd in his Book call'd *the Heart and its Right Sovereign*, that Image-Worship, Invocation of Saints, Transubstantiation, Purgatory are and will be learnedly and voluminously defended on each side to the World's end.

Harry the 8th therefore did in his Contest with the Papacy *Ferire faciem*, and did fight neither against small and great but the King of Rome, as I may say. He attacked the Pope in his claim of authority over all Christians, the authority that Bellarmin calls *Caput fidei*, the head of the Catholic Faith.

'Tis therefore very well said in a Book call'd *Considerations touching the true way to suppress Popery in England*, Printed for Mr. Broome in the Year 1677; *Whatever notions we have of Popery in other things, the Pope himself is not so fond of them, but that to gain the point of authority, he can either connive, or abate, or part with them wholly: though no doubt he never doth it but insidiously, as well knowing that whatever confession he makes for the establishing his authority, he may afterward revoke, &c.* And so the Author saith, p. 12. *That Harry the 8th for having cast off his obedience to Rome was therefore judged a heretic, and that was look't on by Rome as worse than if he had rejected all its errors together. He was a thorough Papist in all points but only that of obedience, in comparison of which all the rest are but talk.*

I account therefore in Harry the 8ths time Poperies most sensible and vital part, viz. the Popes supremacy did end in England *per simplicem desinentiam*. The radical heat and moisture it long before had was gone: like a *senex depontanus* it was held useless in a wise Senate. He establish't the doctrine of his own supremacy without a Battel fought, nor did any Rebellion rise there-upon but what he confounded with a general Pardon.

Many of the Scholars of the University of Oxford did mutinously oppose the introducing the knowledge of the Greek Tongue there, and were there-upon call'd *Trojans*, and others of the Schollars were as robust and loud for that

that Language, who were therefore called *Græcians*: but by a *Letter* writ by *Sir Thomas More* to that University and by the Kings Command (which Letter is extant in the *Archives* of the public *Library* there) the Schollars being admonished to lay by those names of *distinction*, and likewise all *animosity* against the *Greek* Tongue, and to encourage the learning of the same, it was there at last peaceably receiv'd.

The day-break of learning then in the world had put a period to the *night* of ignorance in which the Beasts of Prey had domineer'd, and to their Monastic *denns* themselves. The enlighten'd part of mankind was weary of growing pale among papers and sometimes red hot with arguing about *terms* of *art* (and all those barbarous too, that had formerly hid the God of nature) and would no longer account *implicit* faith the only *justifying* one, and could not more esteem the imposing of such a *blind* faith commendable that was made previous to mens quest after *pabulum* for their Souls, then that practice of the *boy* of *Athens* who did put out the eyes of birds, and then expose them to fly abroad for food.

The *Learning* then introduced into the world shew'd that the hierarchical *grandeur* of the *Roman* Church was not extant formerly in the learned times when the old *Roman* Empire flourish'd, but was contrived in the times of ignorance between the Bishops of *Rome* and the Leaders or Princes of the *Barbarians*, and that it had its beginning from the Inundations of the *Northern* people (so that with Mr. *Colemans* leave by the way, *Popery* may be call'd too a pestilent *Northern* heresy) and that to the end that those *Barbarians* might not find out the original of the papal power, and see how narrow the stream of it was at its fountain when every Bishop was call'd *Papa* (as every woman is now with us call'd *Madam* and *Lady*) that the *Pope* by affronting the *Emperors* power effected a strangeness between the *Greeks* and *Latines*, by means whereof the *Barbarians* being brought up in prejudice against the *Græcians* neglected their Language, to the decay whereof in the world not only the decay of the purity of the *Latine* Tongue may be imputed, but also of *History*, *Geography*, *Geometry*, *skill in antiquity*, and even the worlds not knowingly then conversing with the *Latine* Fathers.

It was in an age of *non-sense* when a *Canonist* venturing to be a Critic told the world concerning the Greek word *Allegoria*, *istud vocabulum fit ex duobus vocabulis; ab allo, quod est alienum, & goro sensus*; and when an old *Schoolman* *Thomas de Argentina*, thus gave the derivation of *latria*, *istud vocabulum fit ex duobus vocabulis, à La, quod est laus, & tria, quod est trinitas: quia latria, est laus trinitatis*. But the very understanding of two ordinary Greek words, namely *ἴσα πρεσβεία*, equal priviledges in ecclesiastical matters to the Bishops of *Rome* and *Constantinople* allow'd by a General Council, that were obvious to every enquirer into *history*, did quite blow up all pretences of the Popes *supremacy*; and one *versicle* in that long unknown Greek Book *ἡ ἀρχὴ τοῦ βασιλείου* viz. *Luke 24.47*. which shews, that the teaching of Repentance and remission of sins in the name of Christ by his own order began at *Jerusalem*, did surprise thinking men with amazement, when they heard a *Pope* and General Council calling *Rome* the Mother and Mistress of all the Churches, and anathematizing all who think otherwise, and saying further *extra hanc fidem nemo potest esse salvus*, for this the *Trent* Council did.

Thus then the abolition of the papal power here brought the world at the first step out of a blind *Chaos* into a *Paradise* of Knowledge, and help'd Christians to demonstrate to themselves and to Jews, and Pagans the truth of the Christian Religion, for the certainty of the doctrine of which during that time of papal darkness the world had only the assertion of the present age that call'd it self the *tradition* of the Church; but by the introduction of the
Greek

Greek Tongue and other learning, Christians had the sense of the *Greek* and *Latine Fathers*, and those *historical Records* that brought down to them the certainty of the Miracles that were wrought in the founding of Christianity, from the Primitive Christians, who saw them. 'Twas the restoration of learning in general, help'd them to say with *Tertullian* *fidem colimus rationalem*, and with *St. Paul*, *I know whom I have believed*, and without the introducing of humane learning, the Protestant Religion could no more have been advanced to its height in the world, then men can be perfected in *Astronomy* without the knowledge of *Arithmetic*. *Luther* came into the field arm'd with the Knowledge both of the *Greek* and *Hebrew* Tongues, when he was to contest with the Errors of the Papacy; and he having for his Antagonist Cardinal *Cajetan*, who was the Legate in *Germany* and an eminent School Divine, and who made a home thrust at *Luther* out of the Scripture according to the *Vulgar Latine* translation, *Luther* told him in plain terms, That that translation, was false and dissonant to the original: and hereupon the *Cardinal*, tho' he and the Papacy too had one foot in the grave, *Cato*-like fell eagerly on the studying of *Greek*, that he might be able to confute *Luther* and his followers out of the Scriptures, and was put to it to make his weapon when he was in the field.

And can any one think now that in this present state of *England*, when we see so many that are Critical Masters of Experimental Philosophy, and who by means of the great useful pains formerly taken by *Erasmus*, *Sir Thomas Moore* and others, in restoring Philological Learning, have now entire leisure to devote their Studies to the substantial Knowledge of *things*, and whose Motto is, *Nullius in verba*, and who know, that if they would have every one trust them, they must take nothing on trust from any one; and who know, that since truth doth always fail in sight of error, they must all the way go *sounding* by *experiment*; I say, can any one think that it was less easie for the *Sun* to go back Ten degrees on *Abaz* his *Dial*, then 'tis to make this Age run back to implicit faith and ignorance and barbarisme?

And is it to be thought that men who weigh *Silver* in Scales, will not weigh *Gold*; I mean, not examine notions of Religion with care, when they are so cautious in others? Can we think that men who will not part with those Notions that *salve* the *phænomena*, will quit those that *save* their *Souls*, and especially considering the proverbial addiction of the English *genius* to Religion, and considering too, that men by long use and Custom have been habituated to the profession of a rational Religion, and that it can plead here a hundred years prescription?

It is certainly more easie to unteach men the use of the *Sea-Compass* in *Navigation*, then the use of Reason in Religion; and the inclination of the Needle to the *North*, is not likely to be more durable then the tendency of mens affection in *England* to the *Northern heresy* so call'd; and it is more easie to teach all Mankind the use of Letters, then to unteach it to any one man; and when the temper of an inquisitive Age is like a *Trade-wind* carrying men toward Knowledge and toward a rational Divinity, they may by some accidents be made to cast Anchor, or they may be sunk, but they cannot be forced to go back.

When a man hath long been compell'd to creep with Chains on him through a toilsome dark *Labyrinth*, and having extricated himself out of it and being come to enjoy his liberty in the light of the *Sun*, the persuasion of words cannot make him go back again.

My Lord, I lately mentioned the *Motto* of the *Royal Society* of *England*, of which your Lordship is a Member, and I look on the very constitution of that *Society* to be an inexpugnable *Bulwark* against Popery: In which *Society*

many of our choice *English Wits* have shew'd as much subtilty and curiosity in the Architecture of *Real Science*, and such as tends to the edification of the world, as any of our Countrey men heretofore did in those curious but useless Cobwebs of holy Church call'd School Divinity.

And the constitution of that *Society* hath not only been useful in encreasing the Trade of Knowledge among its members by a joyned stock, but moreover hath tended to the raising in the Kingdom a general inclination to pursue *Real science*, and to contemn all *science falsely so call'd*: and the Raising of this inclination I will call a *Spirit* that can never be *Conjur'd* down, nor can the knowledge that depends on number, weight and local Motion, be ever *exterminated* by *Sophisms* or *Canting*, or *terms of Art*; Nor will they who have from this *Society* learned to *weigh* Ayre, give up their Souls to any Religion that is all *Ayre* without *weighing* it, or (notwithstanding any hard name that may come to be in *vogue*) ever forget that *bread is bread*.

His Majesty by the founding of this great Conservatory of knowledge presently after his Restoration (wherein his great *Minister* then the *Earl of Clarendon*, was an honourable Member) did convey real knowledge and a demonstration of his being an Abhorrer of Arbitrary Power, to all that can understand Reason, and affect not the ridiculous Treasonableness of *Bradshaw's Court*, to say, *that they will not bear reason*; for had he like the *Eastern King's* affected Arbitrary Power, he would have used their artifice of endeavouring to cast mists before the understanding faculties of his Subjects, and to detain them from knowledge by admiration, and to deprive them of *sight*, like horses that are still to drudge in the *Mill* of Government by blind obedience; But to shew that he abhor'd both such obedience and implicit Faith, and that he intended to establish his Throne as well in the heads as in the hearts of his Subjects, he presently settled this Great Store-house of Knowledge, that shew'd it was his desire and ambition by the general Communication of Knowledge in his Dominions, to Command Subjects whose heads were with the *Rays of Science* crown'd within.

And therefore I think His Majesties Munificence to the Royal Society in giving them *Chelsey-Colledge* at their first institution, was very Consistent with the Primary Intention of the erecting that *Colledge*, which was to be a Magazine for Polemical-Divinity wherewith to attaque the Writers for Popery: for the very planting of a general disposition to believe nothing contrary to Reason, is the cutting of the grass under Poperies feet; and His Majesty providing for the growth of reason did apparently check the growth of Popery, as well as of Arbitrary Power, without the *prop* of which, Popery can never run up to any height more then the *Sun-flower* without a supporter: and the settling in men an humour of *Inquisition* into the truth and nature of things is, as I partly said before, an everlasting barricade against the Popes darling Court of the *Inquisition*.

That great and noble notion of the *Circulation* of the *blood*, took its first rise from the hints of a common persons enquiring what became of all the blood that issued out of the heart, seeing that the heart beats above Three Thousand times an hour, tho' but one drop should be pump'd out at every stroke: and if any one shall tell me that he believes that Popery with its retinue of implicit faith and ignorance can over-run us, I will ask him what will then become of all that knowledge the vital blood of the Soul, that hath issued from the heads of inquisitive Protestants, and been *Circulating* in the World for above a Hundred and Fifty years, and I doubt not but it will be in mens Souls as long as *blood* shall have its *Circular Course* in their bodies; and *maugre* all the Calumnies cast on the *Divines* of the Church of *England* for being fautors of Popery, I shall expect that our learned *Colledge* of *Physicians*

cians will as soon be brought to disbelieve the *Circulation* of the blood, or our *Royal Society* to take down the Kings *Standard* that they have set up against implicit faith, as our learned Convocation the learnedest that ever *England* had, be brought to believe the principles of *Popery*.

I know, *My Lord*, 'tis obvious against this my *hypothesis*, of the unpracticableness of *Popery* being here the *State-Religion*, to say that in little more then Twenty years time Four great changes in Religion happen'd in *England*, and that the generality of the people then like dead Fishes went with the stream of the Times: but I ask, if the generality of the people had been thoroughly enlighten'd in the rationality of the Protestant Principles Twenty years together, would they have return'd to the belief of the Popish? Will they now do it after the establishment of a *Rational Religion* for above a Hundred years together? Can *Popery* now find the way into most Mens brains here presently after the whole *Nation* almost were *Preachers*, and when all our great and little unruly disagreeing Sects yet agreed in this as a *fundamental*, that *the Bishop of Rome is the Antichrist*? If *Printing* had been free in *Turky* for a Hundred years, and a *libera Philosophia* and *Theologia* had been there in fashion for a Hundred years, and every man had been allow'd his Judgment of discretion so long about the sense of the *Alchoran*, or of the holy Scripture, and of all Books of Religion, could ignorance even there come into play again? or if the *Turkes* had drank Wine for a Hundred years together, could any one Conjure the glasses out of their hands by telling them there was a *Devil* in every grape?

If that Law in *Muscovy* that makes it death for any Subject to travel out of that Kingdom without the Emperors *Licence*, lest his Subjects having seen the freedom of other Countreys, should never again return to the Arbitrary Power in their own again; I say, if that Law had been repeal'd for a Hundred years, and multitudes of oppress'd mankind had thence found the way to breath in the ayre of Liberty like men, could they be persuaded to return to the *Tokes* of *Beasts* again?

When a *floating Island* has been a Hundred years fixt to the Continent, can any teach it to swim again? *Consulitur de Religione*, is likely to be look'd on by many as an eternal business of *England*, and in case of a *Prohibition* to any mans little Court of Conscience in that cause, he will certainly give himself a *consultation*.

The very *humour* of the *English Nation* long hath and still doth run against what they think but like *Popery*, or makes for it, and that with such a rapid current of Antipathy, as is never likely to be stem'd: and nothing is more out of fashion then a kind of *Sir-positive*, or *Dictatorian* humour in common discourse; much less then will a dogmatical Popes infallibility ever be digested here, while he makes himself a *St. Positive*.

The *gentile* humour of the Age here that abhors *hard* words as loathsome *pedantry*, will never be reconcil'd to one certain long *hard* word in *Popery*; namely *Transubstantiation*; nor to another namely *Incineration*, or burning men for not understanding the former word (according to the style of the *Historian*, *Imperator ægrè tulit incinerationem Johannis Hufse*) and people will account their Protestant *Bibles* more agreeable to them then the *English* one Published by the *Colledge of Doway*, where the Translator studied for *hard* words in the room of plain ones, as for the *Passeover*, *phase*, for foreskin, *præpuce*, for unleaven'd bread, *azym*s, for high places, *excelses*, and other such words we have in the *English Rhemish Testament*, viz. *exinanite*, *parascæue*, *didragmes*, *neophyt*, *spiritualness* of wickedness in the *Celestials*.

In our Busy *English* world while men are most yary after profit and pleasure and the study of things, if very few or none can be brought to learn the

the *universal real character*, and which would tend to the propagating *Real Knowledge* among the Nations of the World (accordingly as the excellent propounder of it in Print with great modesty saith in his *Epistle* dedicatory, *that he had slender expectation if its coming into common use*) our *Ingeniosi* or *Witts* (which all men pretend to be now, as they did in the Late times to be *Saints*, tho yet as few are *Witts* now, as were *Saints* then) will not care for troubling their brains with the studying of the Religion whose pretended *universality* appears but a kind of *universal character*, and not *real*, and tending to obscure the knowledge of things in the World.

If they should see here a Religion that was full of pageantry, and seem'd to be wholly *theatrical*, they would think it was as much their *birthright* to *censure* it, as 'tis to be eternal talking *Critics* in the *Pit* to *damn* Playes, and would think *two Supremes* in a Kingdome to be of the low nature of two *Kings* of *Branford*, and rather then part with their money and stake down their Souls for seeing such a *Moral Representation* of an absolute spiritual and absolute temporal power on the stage of the Kingdom, they would be too apt with Mr. *Hobs* to thrust the whole Nation of Spiritual Beings out of the world; I mean rather then they would be to their faces cheated and harras'd by a spiritual power: and our people inspir'd with witt as well as those with the zealous spirit of Religion would cry out, *conclusum est contra Manichæos*; I, and against the *Schoolmen* too, I mean our Romanist *Manichæi* who make two *summa Principia* in every State.

In this age where the lower or Sixth rate *Witts* do so over-value themselves on turning every thing into *ridicule*, the *Mafs* would have here a Reception according to what the *gloss* in the *Canon Law* observes, *that when a place had layen long under an interdict, the people laughed at the Priests, when they came to say Mass again.* Nor would any Papal *interdiction* unless it could *interdict* us from the use of *Fire* and *Water* be of any moment. The World would now laugh at any *Prize* that should be *play'd* between the *Two Swords*, the very *glossator* on the *Clementines* saying occasionally that *resipiscite mundo*, the World being grown wiser, there must be no longer striving for both *Swords*. And any one that would obtrude on us *gross* exploded errors in Church or State will appear as ridiculous as *St. Henry the Dane*, who as the *Martyrology* mentions, *when worms crawl'd out of a corrupted Ulcer in his Knee put them in again.*

My Lord, I will further offer it to your Lordships consideration, That if it be found so hard to keep up the external polity of the Church of *England*, tho in it self so rational and so meriting the name of *λογικὴ λατρεία*, after the Twenty years discontinuance of it, insomuch that Dr. *Glanville* in the first page of his *Book* call'd the *Zealous and impartial Protestant*, hath these words, *the first occasion of our further danger that I shall mention, is the present diminution, not to say extinction of Reverence to the authority of the Church of England, &c.* (and he p. 4. writes largely to that Effect,) what quarter can *Popery* expect here from an Age of sense and reason when it should break in upon both, after the forementioned Hundred years discontinuance?

According to the foresaid Argument of the *Bees* for the Popes spiritual Monarchy, we see it improbable for him ever to bring us to a *Rendevouz* in his Church again; for the sad experience we have had of the *Sects* here that left the *Hive* of the Church of *England*, not gathering together into any one new *Hive*, but dividing into several swarms and hives, and never returning to the old, may shew the *Hive* of holy Church how little of our Company 'tis to expect.

Having

Having said all this about the mists of Popery, being to contend with knowledge in its meridian, I think I shall comply with the measures taken by our *Philosophers* in this Critical Age, in founding their observations upon *Experiments*, if I further add, that the former *Experiments England* hath had of Poperies being pernicious to its external *Polity* and Grandeur, will perpetuate and heighten the *fermentation* in the minds of our angry people against it.

All our *Monkish Historians* do attest the experience our Kings had in being bereav'd of great Sums of Money, while they enrich'd the Pope here by giving him the *Office* to keep the *Theological Thistle*, which he Rail'd in with so many *censures* and *distinctions*, and *non obstantes*, that our Kings could not pass to their *Palaces* but by his leave, and on his terms.

An *English King* then was but the Popes *Primier Ministre*, and yet paid great wages too for the being a Servant to the *Servus Servorum*.

King John used to say, That all his affairs in the World were unprosperous, and went cross and untowardly after he had once subjected himself and his Kingdom to the Church of Rome: His words were, *Postquam me & mea Regna Romanæ subjeci Ecclesiæ, nulla mihi prospera, omnia contraria advenerunt*. And 'tis obvious to consider on the other hand, what a great figure Henry the Eighth made in the World, after he had manumitted himself and his Kingdoms from the Papal Usurpation: And how he held the Balance of the World in his hand; and trod on the *Basilisc* of the Papal Supremacy, and notify'd it to the Nations of the Earth that *England is an Empire*, that being the Style of the Statute of the 24th of H. 8. c. 12. *Viz. That this Realm is an Empire, and that the Crown thereof is an Imperial one*: And the words of Kings and Emperours of this Realm, being then attributed in our Statutes to the Monarchs of England; and as the great expression in the Prophecie of Ezekiel c. 16. v. 13. is applyed by God to the Jewish state, *And thou didst prosper into a Kingdom*, it may be justly said that Harry the Eighth's defying the Popes Usurpation, made *England prosper into an Empire*. 'Twas his doing that made him *hors de page*, and 'tis only the doing it that will make the French King truly so too: For 'tis only Air that any feed a Monarch's fancy with, who would amuse him with an *Universal Empire* abroad, till he hath obtain'd one first at home; as no Man is to expect to govern his Neighbours Family, who is *Control'd* in his own.

And like a Master who imagines himself great, while he is feared by none but some of his own Servants, so how little terrour did Queen Mary's Reign give to any parcel of Mankind, but a few of her own Subjects, of which the number that she burnt and made to languish in Prisons, and such as left her Kingdom by *migration* to forreign parts, would easily have kept *Callais* for her, and prevented the ignominy of her *Politics*, in losing the *Real Key of France*, while she was finding the Imaginary Keys of the Church!

But 'tis a truth not contestable, That Queen Mary's Reign (in which her persecution of her Subjects was so barbarous, and such a scandal to Government, That Dr. Heylin himself applies to it in the Title Page of his History of Queen Mary that passage in *Paterculus*, *Hujus temporis fortunam, ne deflere quidem quispiam satis digne potuit, nemo verbis exprimere potest*) served only as a foile to the lustre of Queen Elizabeth, whom all Generations since have called blessed; and who was not more lov'd by the English, then she was feared by the French, and was offered *Calice* if she would but have conived at the continuing of the French forces in Scotland, and who sent to the great Henry the Fourth a *Mandamus* to build no more Ships, and had more money offered her by her Subjects then she would accept; and yet (as is said in *Townsend's Historical Collections*) had spent a Million of Money

in her Wars with Spain, and laid out 100000 l. to support the King of France against the Leaguers, and 150000 l. in defence of the Low Countries, and discharged a debt of Four Millions she found the Crown indebted in. Nay, our Historians tell us, that She payed the very Pensions that were in arrear in her Father's, and Sister's time to divers of the Religious persons ejected out of Abbeys.

It was Queen Elizabeth who by all her Alliances, and especially her Offensive and Defensive one with the States of the United Provinces in the Year 1578. laid such a deep and sure foundation for a vast trade of the English Nation to be built on, that it's overbalance is said to have brought to be Coined in the Tower of London, from the first of October 1599, in the 41st Year of her Reign, to March 31st 1619, (being 19 years) 4,779,314 l. 13 s. 4 d, And from March 31st 1619, to March 31st, 1638 (being 19 years) 6,900,042 l. 11 s. 1 d, And from March 1638, before May 1657 (being 19 years) 7,733,521 l. 13 s. 4 d; England alone by verture of that her Alliance, having till the Peace of Munster 1648, enjoyed almost the whole Manufacture, and best part of the Trade of Europe: And it was but just for Heaven to punish in England the greatest villany that could be wrought on Earth, I mean the murder of the best of Kings, by suffering the Trade of England to have its fatal decay in that year 1648. For then, I count, our overbalance of Trade for the last mentioned Nineteen years had its Period, and 'twas by the effect of that Peace that both Holland and France, and Spain canonized the power of our Trade, and the most Sovereign of our Manufactures. Till that black year 'twas to be ascribed to the result of Queen Elizabeth's politics, and not to the conduct of the Long Parliament, that England did, as to Trade, both do its business and play, and as to its Commanding the Trade of the World, did Sail with a Trade-wind; and during that Wind, it could not happen that any should meet us, or overtake us in our motion, whatever mean Pilots were at the Helm.

It was for the completing the last ternary of the Coinage, that I mentioned, the *circuendutem*, or nineteen years, ending in 1657. For I believe that both *Astrea* and *Trade* left our Land in that fatal Crisis of 48, of which the Month of January produced the Signing of that Peace at Munster, and the horrid Arraignment, and Martyrdom of that matchless Prince.

'Tis therefore not to be admired, That Queen Elizabeth's provident Ensuring such a plenty of Traffick and Riches to her Kingdom, both for her own and future time, she had what *præmium* of Taxes from her Parliaments she pleased; accordingly as King James tells the Parliament Anno 1620, That Queen Elizabeth had one year with another above 100000 l. in Subsidies; and in all my time I have had but four Subsidies, and six Fifteenths; and he said his Parliament had not given him any thing for Eight or Nine years.

England did thrive apparently while it was to Queen Elizabeth, a *Puteus inexhaustus*: But while it was such an one to the Pope, was in a miserable and consumptive state, as any one must necessarily conclude, who considers that the nutritive juyce of the wealth of the Kingdom was diverted from cherishing its own Head to pamper the Bellies of Forreigners. Deplorable then was the condition of the English Crown, when (as we are told by the *Antiquitates Britan.* f. 178.) in the Reign of Hen. 3^d. *Repertus est Annuus redditus Papæ talis quem ne Regius quidem attigit*: And when according to Matthew Paris f. 549, in the Reign of that King, Anno 1240, it was complained of, That there remained not so much Treasure in the Kingdom, as was in three years extorted from it by the Pope.

But what is more strange, we are told in Cotton's Collections p. 129 of the times of Edward the Third, That the Taxes paid to the Pope for Ecclesiastical

tical dignities did amount to five times as much as the People paid the King per annum. One would wonder that so martial a Prince, the Scene of whose Reign lay almost in continual War, should be so careless of the Sins of it, as to permit so much of the wealth of the Kingdom to be misapplied, and that too while all manner of Experiments of Taxes were tryed on his Subjects, who payed him toward his charge of the War with France Wool and Grain, as not having Money enough to supply him wholly therewith: and when, as it is said in Cotton's Collections, A long Bill was brought in by the Commons against the Usurpation of the Pope as being the Cause of All the Plagues, Murraings, Famine and Poverty of the Realm, so as thereby was not left the third Person; or Commodities within the Realm as lately were, and the Commons did desire that it might be enacted, That no Money might be carried forth of the Realm by Letters of Lombardy, or otherwise on pain of forfeiture and imprisonment.

But the Pope knew, it seems, there was money to be had out of England, though the Commons grudged it him, and that a complaint of the Commons of the decay of Trade was no proof of it, but rather in his case an indication of the contrary, for that 'tis Proverbial with Rich Men when they have no mind to part with their money, to say, *they have none*; and it appears out of a balance of Trade on Record in the Exchequer, that in the 28th year of Edward the Third, the Sum of the over-plus of the Exports above the Imports amounted to 255 214 l. 13 s. 8 d.

This however shews sufficiently the Indignation of a Popish House of Commons at the Pope and his Lombard-street Bankers, who convey'd his money for him hence by Bills of Exchange; and if our late Parliaments have not thought fit to comply with the demands for satisfaction of Protestant Bankers there, much less will future ones favour any of the Popes Lombards.

That the Pope formerly had as much money here from the publick as the King, we may well believe possible, since 'tis generally held that Wolsey's Revenue equalled Harry the Eighth's.

Matthew Paris tells us, Anno 1240, *Misit Papa Pater noster sanctus quendam exactorem in Angliam Petrum Rubeum, qui excogitata muscipulatione infinitam pecuniam a miseris Anglis edoctus erat emungere.* i. e. Our holy Father the Pope sent an exactor Peter Rubeus into England, who with a kind of Mouse-trap trick wiped the poor English of infinite Sums of Money. And the expression of Wiping the English of infinite Sums of Money was in fashion among all eminent later Writers of ours against the Papal Usurpation: and 'tis particularly used by Parker in his *Antiq. Britan.* where he saith, *Præterea indulgentiarum, dispensationum, similiumq; fraudum immensâ copiâ infinitis pecuniis Anglos emunxerunt.*

Nothing less then infinity of Treasure out of one Island could supply the great exacter of Rome, who it seems resembled him that Cicero brands by saying, *infinitum genus invenerat ad innumerabilem pecuniam Corripiendam.* But there is now no catching a Nation in Mouse-traps.

As the Pope has never thought it worth his while to send Emissaries to Denmark and Sweden, and some other Northern Countreys, to sponge Money out of them, which he knows that great spender called War that so generally infests them, makes them have none to spare for the Popes use (and *Curia Romana non vult ovem sine lana*) so will the future vast charge too likely to be for ever incumbent on England, and other parts of the World, in providing and maintaining Capital Ships, effectually provide against the profusion of any on the Projector of Religion at Rome, and against Romes being to us as Matthew Paris called it of old, *barathrum proventuum.*

And

And any who considers that his Majesty hath not without difficulty obtain'd *Supplies* of Mony from late *Parliaments*, and that they have been all *appropriated* to certain publick uses, may well give the Pope *City-security*, that he shall have no Mony from *England*; and no Man I think now supposeth that any thing that time can cause, can make the Pope get much Mony out of the Exchequer of *England*, but one who (as *Charon* says) was *born in a Bottle*, and never saw the World but out of a little hole. But if according to the *Calculations* that have been by some made, the current Coin of the Nation doth not now exceed *Six Millions*; and the publick Revenue in times of Peace has amounted to somewhat near one Third of that, and if the Pope should be allow'd here to have a *spiritual income* equal to the King's, and the restored Abbots and Monks, and the other *Clergy* be allow'd another *Third*; (for so the *accounts* of their *proportion* were totted by some *Critical Calculators*) the whole Laity would be *nichil'd*, as the *Exchequer* word is.

King *Edward* the First, as the *Antiq. Britan.* mention, sent some of his Courtiers to treat with the *Clergy* about the *Quota* of their supplying him, viz, *Misit ex aula sua Nuntios qui suo nomine agerent cum clero, quoniam eorum & tranquillitas Major & fructus atque redditus annui tunc essent longe uberiores quam populi, ut ad Regem in his bellicis angustiis adjuvandum se ostenderent promptiores.* And it appears out of *Cotton's Collections*, That in the fourth Year of *Richard* the Second, The *Clergy* confess'd they had a Third part of the Revenue of the Kingdom, and therefore then consented to pay a Third part of the Taxes. But in those ancient times of Popery, beside the Clergies share in the *Balance of Land*, it might be justly added to the *Inventory* of their Wealth, That they generally engrossed the highest and chiefest *Offices* in the Kingdom, and that from the Office of Lord High *Chancellor*, to that of the very *Clerks* in *Chancery*, and other *Clerks* places (whence to this day the officiating *Registers* of Courts are called *Clerici* or *Clerks*) whereby they caught in a manner the whole Kingdom in a *Purse-net*.

'Tis therefore no wonder that the great affluence of the Riches of the *Clergy* drew to them that Popular esteem, that (as the *Antiquaries* observe) the *English* word *Sir* was affixed to the *Christian Names* of *Clergy-men*, from King *John's* time down to the Reign of Queen *Elizabeth*, and which was also express'd in *Latine* by the word *Dominus*, as for example, in the witnessing of a Deed, *Testibus Domino Willielmo de Massy, persona de Bowden, Matheo Hale, &c.* And of the people calling their *Parish Priests* by the name of *Sir William Massy*, and the like, as in ordinary Communication we call *Knights*, we have the instance of the first *Christian* on whom here for his Religion *incineration* was practised, viz, *Sir William Sautre, Parish Priest* of the Church of *St. Scytbe &c.* in *London* in *Henry* the Fourths time: for so he is *Styled* in the *Acts and Monuments*.

Bishop *Sanderson* who in his profession of *Divinity* was greater then any praise, was likewise so accurate an observer of the weight of what he affirmed in the Pulpit, though it was not of a point of Theology, that every thing he there said has a Title to be regarded: And he in his *Sermons in fol. ad Populum*, on *1 Cor. 7. 24.* pag. 195, and 196, speaking of the Monks, saith, *It is well known in this our Land, how both Church and Common-Wealth groan'd under the burden of these heavy Lubbers: The Common-wealth, while they became Lords of very little less (by their computation who have travelled in the search) then one half of the temporalities of the Kingdom: and the Church while they engrossed into their hands the fruits of the best Benefices of the Realm, allowing scarce so much as the Chaff to those who tread out the Corn.*

*This profession is God be thanked long since suppressed: There is nothing of them now remains but the rubbish of their Nests, and the stink of their memories, unless it be the sting of their Devilish Sacrilege, in robbing the Church by damnable Impropriations. He had before said they were *naug' d'neia*, and Slow-bellies, Stall-fed Monks and Friars, who liv'd mew'd up in their Cells, like Boors in a Frank, pining themselves into Lard, and beating down their bodies till their Girdles crackt.*

But though it hath been truly observ'd, That the not providing for the augmentations of the poorer Livings in England, was a scandal to our Reformation, in that it made so many scandalous Livings, and consequently so many such Ministers, and it has been in one of Queen Elizabeth's Parliaments, notify'd by Dr. James (as Townsend's Collections mention) that of Eight Thousand and odd Parish-Churches then in England, but Six Hundred did afford a competent Living for a Minister: And it has been publicly aver'd by Archbishop Whitgift, That there were Four Thousand Five Hundred Benefices which are not worth above Ten Pound a Year in the King's Books; yet the dispersing of so much of the Church Revenue among the Laity hath had this effect, namely, to engage the possessors of so great a proportion of the Land of England to be Champions against Popery; and one other good effect within my own observation it produced in the late times, when Tithes themselves were thought Delinquent, namely, that the Improprate Tithes saved the others: And the not augmenting the poorer sort of Livings (the which mostly were in Cities and Corporations in the Countrey) hath not however prov'd any augmentation to the interest of Popery: For though the Reliques, and Images, and Shrines of Saints there, that brought a concourse of Offerers and Offerings thither enrich'd those places, and the Churches, and had the effect of Staple Ecclesiastical Commodities, and Harry the Eighth's abolishing them, reduced the value of the Livings there almost to nothing, they grew by occasion thereof afterward to be receptacles for heterodox Divines, who seiz'd on the Livings there in a manner derelict, and finding the Genius of Trading people averse from Ceremonies did represent the few and innocent, and indeed decent ones of the Church of England as odious to them, and therefore were sure of pleasing their auditors by constant declaiming against those of Popery, that were so many, and cumbersome, and had caused so much blood-shed, and were known to be Ceremonies both *mortuae* & *mortiferae*.

And as Doleman alias Parsons observed in his time, that the strength of the Puritans lay in those Corporate Towns and Cities, there will the hatred of the Principles of the Papists probably for ever encrease.

I have for this purpose found it truly observed in a Discourse in octavo, concerning Liberty of Conscience, Printed for Nath. Brooks at the Angel in Cornhil: That the Puritan Preachers by their disesteem of Ceremonies and external Pomp in the worship of God, were the more endeared to Corporations, and the greater part of persons engaged in Trade and Traffic, who hate Ceremonies in general, and what does unnecessarily take up time: And that persons who nauseate Ceremonies in Civil things, will loath them likewise in Religious, as a man who has an antipathy against Muscadine in his Parlor, cannot love it at the Sacrament. And that if we reflect on those who did most love Ceremonies heretofore in our Nation, we shall find them to have been persons of the greatest Rank and Quality (who did effect Ceremonies in Civil things) or of the poorest sort, who did get their daily bread by the Charity of the other. So natural is it for men to Paint God in Colors suitable to their own fancies, that I do not wonder at Trading Persons who hate Ceremonies, that they thus think God in respect of this hatred altogether such as themselves.

That *Discourse* had before set forth, *That 'tis natural to Men, who live by Trade and whose being rich or beggars depends much on the honesty of their Servants, to be enamour'd on that Preaching that is most passionate and loud against what looks like luxury, and is apt to occasion unnecessary expences to them:* And therefore no humane Art will ever Reconcile them to one *Casuistical Tenet* that is so so branded in the *Pope's* said Decree of the second of March, viz. *Servants of either Sex may secretly steal from their Masters, for the value of their service, if it is greater than the Salary which they receive.*

The *Mystery of Jesuitism*, letter 6, pag. 80, cites for this *Tenet* Father *Baunyn's* Summary p. 213, and 214 of the sixth Edition, viz. *May Servants who are not content with their Wages advance them of themselves, by filching and purloining as much from their Masters as they imagine necessary to make their Wages proportionable to their services? On some occasions they may, as when they are so poor when they come into service, that they are obliged to accept any proffer that's made to them, and that other servants of their quality get more elsewhere.*

At the rate of this Moral Theology no Tradesman knows what Money he has either in his Pocket, or Compter, or what Cash in his Closet, nor indeed any King what Treasure he has in his *Exchequer*.

But notwithstanding the aversion of many persons of high Birth and Breeding, and who are lovers of Pomp and Ceremony in matters Civil, and likewise in Religious, from the contrary humour of Trading Men, yet is there one thing that hath and always will (in spite of all differences in Religion) occasion an intercourse of Civility between the former *Class* of Mankind here, and the latter, and 'tis, that necessity of nature that makes the Borrower a Servant to the Lender, namely, that the expensive former *Classe* taking up Money at interest from the more frugal latter, obligeth them to give the Lenders the respect of fair quarter: And thus according to that *Bull* in *Tacitus*, *That in some parts of Scotland the Sun shines all night long*, there will still during the contrariety of their tenets, and humours, and which are as opposite as light and darkness, occasionally arise a clear understanding between them.

And of the Redundance of Money, the *Puritans* party had in the late times, and of their designed employing it for the greatning the interest of their party, the establishment of *Peoffees* by them for purchasing *Impropriations*, is a great instance: Of their great progress wherein we have an account in *Pryn's Compleat History of the Tryal of Arch-bishop Laud*, where he saith, *And had they not been interrupted in this good work, they would probably in very few years have purchased in most of the great Towns and noted Parishes Impropriate in England in Lay-mens Lands:* And which had they effected, they might have settled such a *Bank of Land* on the *Fond* whereof to have brought into their possession the greatest part perhaps of the money Currant in *England*, and that party without any but Silver weapons, have acquired such an *arbitrage* of the interests of all others in *England*, as to have usurped *Harry the Eighth's* Motto of *Cui adhæreo præest*.

But though the *Living*s in these great Corporate Towns are so small, and the value they had by oblations be evaporated every where but in the *King's Books*, (where it remains still to enhance their payment of *first Fruits and Tenths*) the heterodox *Divines* there find Harvests of oblations rich enough, and so will the *Divines* of the Church of *England*, if ever a storm of *Po-pish* Persecution shall drive them there for shelter to be Pastors of the *Mornied Men*; and if the worst comes to the worst, they will there find some fat gathered Churches better then lean *Bishopricks*, (as perhaps some heterodox Pastors do now there experiment them) and the ambient heat of
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State-favour that call'd out some of the inward one of Religion, being abated, they will probably grow more exemplary in austere vertue, and thereby attract so much reverence from their flocks as to become *Confessors*, as well as *Preachers* to them, for so the Non-conformist Divines there now in a manner are; and as *Confession* under Popery proved the only *Guaranty* to the Priests for their being paid their *Personal Tithes*, and as then people at their deaths expiated their omissions in the payment of their Tithes, by valuable *Legacies*, thus too will it probably happen to the Ministers of Christ's *New Testament*, and often, to be *Executors*, or at least *Legatees* in *Christians Wills*; the very *dust of whose feet is thought beautiful* by all Men, generally when their return to their own dust is approaching.

Any persecution design'd them will but reduce their state in the Eye of the World, to look and be like that of the *Primitive Christians*, who made the *Apostles* their *Bankers*, and the depositaries of their wealth; and whose Successors likewise in the administration of the Gospel during the following Ages of Persecution had good livelihoods, on the *Fond of Oblations*. And as for *Tithes* we hear nothing of them for many Ages in the *Primitive Church*. In the *Codex Canonum Ecclesiae Universae* published by *Ju-stellus* (the most *authentick* Book in the World next the Bible, and which contains the *Canons* received by the Universal Church till the year 451) there is not one word of *Tithes*. The Clergy were then liberally maintained by the free *oblations* of the people, which were called *ωροσφοει*: And there was no such *Proverb* heard of in the World abroad as *laici semper sunt insensu Clericis*, till there was another *unlucky* one, *Ecclesia peperit divitias* &c. and till the *Goths* and *Vandals* being *Profelyted* to Christianity, express the natural zeal of new Converts by vastly endowing the Clergy with *Lands*, who had (as I may say) *settled Heaven* upon them, and whose great proportion in the balance of Land necessarily made them afterward one of the *Three Estates* in the Christian World. And most worthy of Christian Princes care it was to endeavour to secure the profession of Christianity in future times as well as their own, by providing that the Clergy should not be of the *meanest of the people*, nor depend on *benevolence*; which in the prosperous condition of Christianity might perhaps grow cold, as under Popery the Charity of *Oblations* had done, but for the Artifices before mentioned of *Saints, Shrines, &c. and Reliques*, and the fear of *Purgatory*.

Of the *Oblations* of the people here in *England* decreasing toward the *Pastors* of *Independent Churches*, when *Independency* became the Darling Religion of the *State*, we had an indication in the late times, when some of the most eminent of them obtain'd the possession of great Livings and their Tithes, and others of them retreated from their Churches to *Headships* of Colledges. Nor has there been any failure of the return of the old Exuberance of *Oblations* from such Churches to such Divines, who have again returned to them when they were dislodged from those preferments.

I find not that the Piety of our Ancestors had established any Revenue to the Church from Tithes in *England*, till about the end of the Eighth or middle of the Ninth Century; nor was the division of *England* into *Parishes* before the time of *Honorius* Archbishop of *Canterbury*, in the year 636, till which time there could not be Parochial Tithes. About that time as 'twas said that the *measure of donations* to the Church was *immensitas*, so was the *modus* of their Artifices to preserve them *sine modo*, it being incident to humane Nature, to be restless in the acquiring of riches, for without the perpetual acquiring of more, no Man is sure to preserve the *Quota* of what he hath.

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'Twas thence that *Sacrilege* of the *Monks* arose, that tore the Bread out of the Mouths of the Parish Priests by the Name of *Appropriations*, which shewed the *President* to *Wolseys* alienation of Religious Houses, that was the *President* to *Harry* the Eighth's. And it may well be supposed that the Design of the Monks in robbing the Parochial incumbents by *Appropriations*, was to propagate ignorance among the Laity thereby, and to leave the Age as dark as they found it, or rather to be able generally to let in or keep out what quantity of light they pleased.

Yet had those *Appropriations* been made in an Age of knowledge, they would then have met with that Nick-name of *Impropriations*, that was born many years afterward: and it would then have appeared *improper* to all that the Monks should *Muzzle the mouth of the Ox that did tread out the Corn*; and that old natural Zeal for Religion, so anciently radicated in *English* minds, that *Popes* have formerly complained they were addrest to with more questions about Religion from *England* than from all the World beside, would have inclined the respective Parishioners according to their abilities to contribute a liberal maintenance to their Parish Priests; and even in *St. Paul's* words, *To have plucked out their own Eyes, and have given them*, but that they saw that devotion that brought the fore-mentioned concourse of Spectators, and Offerers to the Images and Shrines, and to the Altars there made the Vicars at least competently to *live by the Altar*.

And if that *Classe* of heterodox Pastors in *Corporations* who as to skill in *Theology* and the *Encyclopædy* of Arts and Sciences, requisite to Crown a *Divine*, are generally but *Images* in comparison of the excellent *Divines* of the Church of *England*, have been how ever so much adored there, and had such offerings from their adorers, the substantial and learned *Divines* of our Church there, may on occasion well say, *quid non speremus?*

During that late persecution of the *Divines* of the Church of *England* in the times of the Usurped Powers, who therein exercised all the cruelty they durst, it might be truly said of the Doctrine of that Church, and the fire of the zeal of the Laity in providing for the liberal maintenance of many of its Clergy, as it is of *Lime* in the *Emblem*——*Mediis accendor in undis*. What burning and shining lights then in the midst of a perverse Generation were among others of the Church of *England* in *London*, Bishop *Gunning*, Bishop *Wild*, Bishop *Mossom*? Nor did their numerous Congregations in the least, for want of plentiful *Oblations* to them, starve the Cause of Religion. The last forementioned person at the *Funeral* of Bishop *Wild*, in a Printed *Panegyric* of his *Life*, takes occasion to speak of the *Oblations* in those times afforded him, and saith, p. 7. *And whereas some good Obadiah's did then hide and feed the Lord's Prophets, it was his care to Communicate to others what himself received for his own support. Many Ministers sequestred, many Widows afflicted, many Royalists imprisoned and almost famished, can testify the diffusive bounty of his hand, dispensing to others in reliefs of Charity, what himself received of others in offerings of Devotion.*

And as if that Iron Age had been the Golden one of the Church of *England*, he doth so pathetically represent the internal glories of that Church in that conjuncture, that any one who would draw an Historical Painting of the State of the Primitive Church to the exactness and bigness of the life, might best do it by the Church of *England* sitting in that posture he describes. These are his words, p. 6, *And here I cannot but recount with joy amidst all this Funeral sorrow, what were then the holy ardours of all fervent devotions, in Fastings and Prayer, and solemn Humiliations: Ay, in Festival and Sacramental Solemnities. O the lift up praying, and yet sometime down cast weeping Eyes of humble Penitents! O the often extended, and yet as often en-*
folded

folded arms of suppliant Votaries! Upon days of Solemnity, O how early and how eager were the peoples devotions, that certainly then, if ever, the Kingdom of Heaven suffered violence, so many with Jacob then wrestling with God in Prayer, not letting him go till he gave them a blessing, &c.

Thus was that great Magazine of Learning and Piety Dr. Hammond in the late time of the Persecution of the Church of England, the Magazine then likewise of mighty Alms, insomuch that *Serenus Cressy* saith, in his *Epistle Apologetical* Printed in the year 1674, p. 48. Dr. Hammond in those days inviting me into England, assured me I should be provided of a convenient place to dwell in, and a sufficient subsistence to live comfortably, and withal, that not any one should molest me about my Religion and Conscience. I had reason to believe that this invitation was an effect of a cordial Friendship, and I was also inform'd that he was well enabled to make good his promise, as having the disposal of great Charities, and the most zealous promoter of Alms-giving that liv'd in England since the change of Religion.

Thus while his noble Confessors they forsook Houses and Land, they according to the Evangelical promise, received the effects of Houses and Lands, and prædial Tithes *an hundred fold in this Life*, with the Gospel *Salvo* (as I may call it) of Persecutions: And as in the primitive and best times, when the Christian Pastors had no *Tenths* but the *Decumani fluctus*, or *Ten Persecutions*, and many Christians were *decimated* for Martyrdom, that Community of Goods that was never read of to be practised but in *Utopia*, and that Renunciation of that dear thing called *Property*, (for the defence whereof Political Government is supposed to have been chiefly invented) did so much glorifie the Christian Morality, to the confounding all examples of the most sublime Morals of the Heathens, that the Pastors had the Christians *All* at their Feet, and did tread on Oblations at every step they took, so likewise those great *Divines* beforementioned, and many others, found that *Primitive Temper*, revived in some of the Lay Members of the Church of England by their generous Offerings and Contributions, which *adorn'd the Gospel*, and supported its Ministers, and which Laity, though cruelly *decimated* by the Usurpers, yet were then *Rich in good works*, ready to distribute, and willing to Communicate, and by their forementioned great liberality in Oblations, exceeding the rate of *Tenths*, did lay up in store a good Foundation against the time to come for the Pastors that shall be their Successors in Persecution, that may secure their expectations of good Pastures in our Cities, and of having a Table prepared for them in the presence of their Enemies, come what can come from Popery.

Moreover by such an accident only can the great Cities in England be freed from some illiterate Pastors of gather'd Churches, who without having their Quarters beaten up by Penal Laws, will disappear there, when the excellent try'd Veterans of the Church of England shall come to Garrison them. Those little Sheep-stealers of others Flocks will then no longer attempt there to have Common of Pasture without Number, but will by all be numbred, and found too light. 'Twill be visible to all that the Divines of the Church of England can with ease Preach in as plain a manner as the other, and that the other can not, with pains, Preach as Learnedly and Rationally as they.

We see that many ridiculous Lay-Preachers, who in the late times did set up a kind of Religion-Trade in great Cities, and did gather Churches, and likewise gather there some maintenance, have thence silently took their march on the occasion of the more Learned Presbyterian Divines ejected from their Livings, retiring thither, and there having constant auditories, partly resembling the guise of gathered Churches: And the disproportion

in intellectual Talents being generally as great between them and the Divines of the Church of *England*, as is that between them and the Lay-Preachers, they must there prove Bankrupt necessarily as the others did.

Dr. *Glanvil* in his Book called, *The Zealous and Impartial Protestant*, did but right to the Episcopal Clergy of *England*, when he ascribes to them the honour of having by their Learned Writings *Confuted, exposed, triumph'd over the numerous Errours of Popery*, and there names Bishop *Jewel*, Bishop *Morton*, Bishop *Andrews*, Archbishop *Laud*, Bishop *Hall*, Bishop *Davenant*, Archbishop *Usher*, Archbishop *Bramhal*, Bishop *Taylor*, Bishop *Cozens*, Dr. *Hammond*, Mr. *Chillingworth*, Mr. *Mead*, Dean *Stillington*, Dean *Tillotson*, Dean *Lloyd*, Dr. *Henry More*, Dr. *Brevint* : And speaking of the Episcopal Clergy of the City of *London*, saith, *How many Learned, Substantial, Convictive Sermons have they Preach'd against the Popish Doctrines and Practice since our late fears and dangers ? 'Tis true, some few others have written something, Mr. Baxter and Mr. Pool have laboured worthily : Dr. Owen hath said somewhat to Fiat lux, and there are some Sermons of the Presbyterians extant, Morning Lectures against Popery : these are the most, and the chief of their performances I ever heard of.*

The Conjunction of a few and evil days of Popery would occasion another good effect, a thing that is always to be wished, but (considering the general present ferment in Mens minds, and pass'd mutual exasperations) never else to be hoped for, and that is this, the common Calamity would cause such an Union between Protestants of several persuasions in Religion, as would put a *Period* to that dreadful state of dissension among them, which has so much *horror* in it, that all those subtle miscreants who have been able to cause it here, and make so many of them almost ready with the ferity of the *canes sepulchrales* to devour one another, can never in words express. Nor can my imagination paint out to me any thing of the kind like it in the past course of time, without my recollecting the description of the fears of the *Doctor of the Gentiles*, given by himself concerning the State of the Church of *Corinth*, to which he applies the words of *debates, envyings, wraths, strifes, backbitings, whisperings, swellings, tumults*, and without my considering the fermentation in the City of *Jerusalem* when near its fatal destruction. But there will be a *finalis concordia* among the now implacable Protestants, if ever Popery should set up to be the State-Religion : And then any one who will give advice to a Painter to draw *The present State of the Protestant Church of England*, may make a good Copy from the great Original of that Prophecie in Scripture, *The Wolf and the Lamb shall feed together, &c. They shall not hurt nor destroy in all my holy Mountain, &c.* And perhaps without going so far for a Mountain that may represent to ones fancy that State of English Protestants, he may find one in *England* to do the work, one that several of our *Historians* speak of, telling us that in the Year 1607, *When by the Irruption of the Severn Sea, the Country in Somersetshire was overflown almost Twenty Miles in length, and Four Miles in breadth ; it was then observ'd that Creatures of contrary natures, as Dogs and Hares, Foxes and Conies, yea Cats and Mice getting up to the tops of some Hills, dispensed at that time with their antipathies, remaining peaceably together without sign of fear, and without any violence used toward one another.*

Nor do Men in great Towns supposed qualified only as the Children of light, but as the Children of this World, and as wise in their Generations, and as projecting their own wealth, and the encreasing of their Trade, and of the value of their Rents, by eminent Oblations provide for such Divines planting there ; and 'tis obvious to every thinking Man, that the erecting of

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Free-Schools, and encouraging excellent *Divines* to live in any particular Town, turns sufficiently to Mens account in this World as to the ends afore-said by attracting inhabitants. For it will be natural to Christians there, when they do not barely hear of a Christ *Transubstantiated* into a dull Wafer, but see one (as I may say) *Transfigured and shining as the Sun* in the Preaching of the Gospel, to say *Lord it is good for us to be here*, and for them there *to make Tabernacles*, and provide Oblations not for dead but living Saints; and as *a living Dog is more valuable then a dead Lyon*, so I believe that in any times of Popery here that can come, any one Corporation and a holy learned *Divine* of the Church of *England*, will get more by one another, then all Towns where Shrines and Images of dead Saints shall be set up, will mutually gain thereby.

Then will the *Clergy* and *People* being *benefactors* to each other be naturally ready to *pray* for each other, and the former being believed from their hearts to say *O Lord save thy people*, will find both an *Oral* and *Cordial* Response from the latter, *And blest thy Clergy*.

But while I am thus accompanied by the *Guide* of Natural reason, travelling in the Region of future time, the time that only is the object of humane sollicitude, and from which anxious minds are too apt to fear that every days birth may be a Monster, : I have by considering the former Revenue accruing to the Church by Oblations, took occasion to Corroborate my great affirmation, of its not being naturally possible for Popery to exterminate the Protestant Religion in *England*, a Religion that Popery can never take by *assault*, or making of its professors Martyrs, nor yet by *Siege*, in *starving* its *Pastors*.

'Tis true, that such a great impost as Popery may occasion to Protestants by Oblations, may in one sense seem to have the nature of a punishment, namely, because 'twill not be a burden to which all Subjects, or indeed all Protestants will be equally liable, and it will chiefly light on the devouter sort of Protestants: And in like manner it may be said that the gain that arose from Oblations in the times of Popery to the Parish Priests of great Towns, was in effect an unequal impost on the Popish Laity, as being a *Tax* only on the more Ignorant and Superstitious of them. But any one who has in the least considered matters of State cannot but know that any great inequality of Taxes, that lights on the Subject as a mischief, doth prove to the Prince an inconvenience, to whom the Subjects pressure makes him unable to afford that *Subsidium* he otherwise could, and perhaps would cheerfully for the Publick safety. Thus may the great supposed charge to be incumbent on the more devout Protestants by Oblations, probably tempt them to use all the means the Law will permit, to render the Government of a Popish Prince uneasy to him, and certainly disable them from paying in that proportion toward the public Levys upon emergent occasions, they else might do.

It may therefore here be affirm'd, that the gain of Popes arising from *Indulgences*, which was so vast, that *Popes* would boast *That they could never want mony while they could command Pen and Ink*, and which *Klockius* in his Book *de Contributionibus* observes, did yield the Pope in Common Years *a hundred Tuns of Gold*, i. e. a Million of pounds Sterling, (and which being an unequal *Tax* on Papists, and not pressing the *debauchees* of that Religion but only falling heavy on the more Pious and devout sort, made them the less able to supply the holy See with mony on extraordinary occasions, or to pay their Taxes due to the Popish Princes they lived under, and particularly those due to the *Pope* as a Temporal Prince) has since in a manner dyed a natural death, the light of *Learning* having no sooner come into
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the World, then that poor *Hermit Fryer* Martin Luther *scourged the Popes Buyers and Sellers out of the Temple*, with as much ease almost as our *Saviour* did the *Jewish*.

Any one who shall consider the burden of *Oblations*, that the devouter Roman Catholicks in *England* lye under, as to their *Priests* (which we may suppose to be very heavy, according to Mr. *John Gees* account in his *Book* called *The foot out of the Snare*, p. 76, where he saith, *That the Popish Pastors ordinarily had a fifth of the Estates of the Laity allowed them, and that he knew that in a great shire in England, there was not a Papist of 40 l. per annum but did at his own charge keep a Priest in his house; some poor neighbours perhaps contributing some small matter toward it*) may well think our *Laity* will bid as high for *English* Prayers, and for Wares they understand, and see, and weigh, as the *Popish Laity* doth for *Latine* ones, and Merchandize they are not allowed to examine; and he who considers that the *Priests* of that Religion, though thus pamper'd with *Oblations*, yet knowing them burthensom to the *Laity*, do feed themselves and them with hopes of the Restitution of *Tithes* to *holy Church*, and even of that sort of *Tithes* alien'd from it in the times of *Popery*, may reasonably conclude that our *Divines* whenever forced to fly to the *asylum* of *Oblations*, will be restless in being both *Heaven's* and *Earth's Remembrancers*, of their claim of *Tithes* appropriated to the Protestant Religion by the Laws in being, and that a violent Religion, and illegal Gospel will be but a Temporary barr against the collecting of *Tithes*, from a Land only during an Earth-quake.

I shall here acquaint your Lordship with a passage in the late times relating to the *Clerical Revenue* in *England*, worthy not only your knowledge, but posterities, and that is this: A Person of great understanding, and of great regard of the truth of the matters of fact he affirmed, and one who made a great figure in the Law then, and in the Long Parliament from the beginning to the end of it, related to me occasionally in discourse, *That himself and some few others, after the War was begun between the King and Parliament, were employed by the Governing party of that Parliament to negotiate with some few of the most eminent Presbyterian Divines (and such whose Counsels ruled the rest of that Clergy) and to assure them that the Parliament had resolved, if they should succeed in that War, to settle all the Lands, Issues and Profits belonging to the Bishops and other dignitaries upon the Ministry in England, as a perpetual and unalienable maintenance, and to tell them that the Parliament on that encouragement expected that they should incline the Clergy of their perswasion by their Preaching, and all ways within the Sphere of their Calling to promote the Parliaments Cause; and that thereupon those Divines accordingly undertook to do so: And that after the end of the War, he being minded by some of those Divines, of the effect of the Parliaments promise by him notified, did shortly after signifie to them the answer of that party, who had employed him in that Negotiation to this effect, viz. That the Parliament formerly did fully intend to do what he had signified to them as aforesaid, and that the publick debts occasion'd by the War disabled them from settling the Bishops Lands on the Church: But that however he was authorized at that time to tell them, that if it would satisfie them to have the Deans and Chapters Lands so settled, that would be done: And that then those Divines, in anger reply'd, They would have settled on the Ministry all or none: representing it as Sacrilege to divert the Revenues of the Bishops to Secular uses, and that thereupon they missed both, the Deans and Chapters Lands being sold.*

Those *Divines* it seems had a presension that the prosperous Condition of their Church, would diminish the Charity of *Oblations*, and therefore did not impolitically try to provide for the duration of their *Model*, by dividing

viding both the Bishops *Power* and *Lands* among their Clergy : And no doubt but in the way of a *fac simile* after this Presbyterian Copy, the Popish Priests will in *concert* with the Pope, even under a Popish Successor as well as now, combine to lessen the *King's* power, and advance the *Pope's*, on promises from the *Holy See*, that they shall have the Church Lands restored to them.

And I doubt not but a *Popish* Successor will support a *Popish* Clergy with what maintenance he can, having a reference to the *Law* of the *Land*, and likewise to the *Law* of *Nature* that binds him first to support himself: and perhaps by keeping *vacant* Bishopricks long so (a thing that by *Law* he may do) he may have their *Temporalties* to bestow on whom he shall please, and perhaps by issuing out new *Commissions* about the *valuation* of the *Clerical Revenue*, a larger share of *First-fruits* and *Tenths* legally accruing to him, may enable him to gratifie such *Ecclesiasticks* as he shall favour. But as I likewise doubt not that ever any accident of time will leave the disposal of such a great proportion of the *Church Revenue* at his *Arbitrage* as the Usurpers had at theirs, so neither do I of his affairs ever permitting him to allow so large a share of that Revenue to his Clergy as the Usurpers did to theirs, whom as those *Powers* durst not wholly disoblige (and therefore unask'd settled on them toward the *augmentation* of their Livings the *Impropriate Tithes* belonging to the *Crown*, and to the *Bishops* and *Deans* and *Chapters*, though yet nothing of their *Terra firma*) so neither durst those *Presbyterian* Divines who followed them for the *Loaves*, and who once in a sullen humour resolved not to have half a Loaf rather than no Bread, reject the *Impropriate Tithes* given them, because they saw a new Race of *Divines* called *Independent* ready to take from those *Powers* what they would give, and who were prepared by their Religion to support the *State-government*, and some of whom had already acquired Church-Livings, and others of whom in the great *Controversie* among all those Parties (which was not generally so much *de fide propagandâ* as *de pane lucrando*) would with the favour of the times easily have then worsted the *Presbyterian* Clergy in the *scramble* for that thing aforesaid, that though *Moreau* in his learned *Notes on Schola Salerni*, saith, *no Book was ever writ of*, yet I think few have been writ but for, namely *Bread*.

But herein on the whole matter the *Usurpers* Policy was so successful as that ordering the great Revenues of the Church as they did, and *Appropriating* the *Bishops* and *Deans* and *Chapters* Lands to the use of the *State*, they by the augmentations arising from the *Fond* of the *Impropriate Tithes* to their Clergy (and especially to those of them they planted in great Towns and Cities) ty'd them to their *Authority* (as I may say) by the Teeth, and kept them from barking against it, or biting them, which else they would have been likely to have done, being disappointed as to their *gratiæ expectativæ* of the *Lands* of the *Bishops*, had they been let loose to have depended on maintenance by *Oblations* in such Towns and Cities, and where they would have probably tryed with a diversified *Curse* ye *Meros*, to fly in the faces of Masters who would not feed them.

I have before said how the Parliament sweetned them into obedience by the luscious power of oppressing their fellow Subjects: But neither by any Revenue adequate to those *Impropriate Tithes*, nor by any such power of oppressing (that prerogative of Devils, to torment) can it be imagined that a *Popish* Successor will ever be able to ensure the obedience of his Clergy to himself. His Bishops and Dignitaries will be like the Popes *Trent Titulars* without a *Title*, I mean one to a *Dignity* or *Benefice*, and the burden of the Clerical Papists maintenance, lying still on the laity, will make Popery soon visibly grow weary of it self.

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I shall here take occasion to observe that Tithes were first called *Improprate* by the *sarcasm* of the dislodged *Monks*, who thought that the Tithes *Appropriated* (for that was the Antient Law-term for them) were improperly placed on *Lay-men*; but both the present possessors, and all that know that 'tis necessary for *England's* being a *Kingdom* and no *Province*, that its Riches accruing by the number of its Inhabitants, and by improvement of its Soil, should keep its weight in the *Balance* of Christendom, especially considering the growth of *France*, will for ever think it very *improper*, that so much of its Land and Wealth and Populousness should be sacrificed to Religious *Idlers*, and that according to Bishop *Sanderson's* account, almost half of the Land should be turn'd into *Franks* for *Boares*, or as I may say, *Sties* for such as are *Epicuri de grege Porci*, or such as were call'd *Barnevelts Hoggs*, he having called the Monkish *Herd* by that name, of whom if *any angers one they all rise against him, and if he pleaseth them all, there is nothing to be got but Bristles.*

That *Herd* was not a little molested, as Mr. *Fox* tells us, by a private Gentleman one Mr. *Simon Fish* in the Year 1527. who writ a little Book called *The supplication of Beggars* addrest to the *King*, and it had the honour to reach his Eyes, and to be lodged in his Bosom three or four days, and to bring its Author to be embraced by the King, and to have long discourse with him, as Mr. *Fox* affirms, who *Prints* that Book, wherein the *Author* with much laboured curiosity attacks the Revenue of the Monks with *Arithmetick*, a Science necessary for the strengthening of Political no less Military Discipline.

He saith there in the beginning *That the multitude of Lepers and other sick People and Poor, was so encreased that all the Alms of the Realm sufficed not to keep them from dying for hunger: And that this happened from counterfeit holy Beggars and Vagabonds being so much encreased. These saith he) are not the Herds but Wolfes, &c. Who have got into their hands more then the third part of your Realm. The goodliest Lordships and Mannors are theirs. Beside this he sets forth that They have Tithes, Oblations, Mortuaries, &c. And he therein saith, That there being in England 52000 Parishes, and Ten Households in every Parish, and five hundred and twenty Thousand Households in all, and every of the five Orders of Fryers receiving a peny a quarter, that is Twenty Pence in all yearly from every one of these Households, the Total Sum was 430333 l.—6 s.—8 d. Sterling. He further sets forth, That the Fryars being not the four hundredth Person of the Realm, had yet half its profits.*

There were in that little Book many things so pungent, and so confirm'd by *Calculation*, that the *Clergy* put no meaner a Person then Sir *Thomas More* on the answering it in Print; and it occasion'd the Bishop of *London's* publishing an *Edict* to call in that little Book, and the *English New Testament*, and many Books writ against the excesses of the Priests. Well therefore might Sir *Thomas More* be favour'd with a *License* to read *Heretical Books*, when he was to be at the fatigue of answering them. Sir *Thomas* in his *Answer* to it makes a just exception to Mr. *Fish's* estimate of the number of *Parishes* in the Realm: But admitting there were then Ten Thousand *Parishes* in *England*, and about Forty *Houses* in one *Parish* with another in the *Country* (beside what were in great Towns and Cities) he might modestly *Calculate* 520000 Households in all.

Nor is it to be much wondered at, That a private Gentleman should err in the excess of the number of the *Parishes*, when we are told in *Cotton's Collections*, That in the 45 of *E. 3.* The *Lords and Commons in Parliament* granting the King a *Subsidy* of 50000 l. at the rate of 22 s. 4 d. for each *Parish*, they

they estimated the Parishes then near that number ; but were afterward inform'd by the Lord Chancellour, that by returns made into the Chancery on Commissions of Enquiry, it was found there were not so many Parishes in the Realm.

It had been very acceptable to those who in this Age take their Political measures of the power and growth of Kingdoms from Numbers, if either Mr. Fish or Sir Thomas More who answered his Golden little Book (as I may call it, for his endeavours therein to fix matters relating to the Oeconomy of the Kingdom by *Calculation*, and for his being a *Columbus* to discover rich Mines without going to *America*, nor yet further then home) or if any of our *Monkish* Historians, or even our Polish'd and Ingenious ones, and particularly My Lord Bacon, and my Lord Herbert had given the World Rational estimates of the Numbers of the people of *England* in the times they writ of, or particularly of the Numbers of the Males then between the Years of 16 and 60, for if they had done that (as on the publick *Musters* made by occasion of Warlike preparations they might perhaps well have performed) we might now easily by the help we have had from the *Observer* on the *Bills of Mortality* conclude, what the entire Number of the People then was, and might likewise have better agreed on a stated Rule of the Period of Nations doubling ; a Curiosity in knowledge not unworthy the Genius of an Inquisitive or Philosophical States-man, and which presents to his View as in a Glass the *Anatocisme* of the *fætus populi*, resembling the Interest upon Interest of Money ; as for Example, when we see that one pound in Seventy years (the Age of a Man) is, at 10 per cent. encreased to a Thousand.

But it is our misfortune, that through the aforesaid omission of our *Historians*, we are not so much illuminated about the encrease of the *English* Nation, as we are about the gradual multiplication of the People of *Rome* so many hundred years ago : And indeed by the help of the *Writers* of other *European* Countries we are taught to know the Numbers of all people but our own. But in this State of improvement that the World is arrived at, I do account that all who shall hereafter employ their Pens about that greatest exercise of humane Wit and Judgment, call'd *History*, and shall not found the weight of their Remarques upon the Numbers of the People they write of, will no more be termed grave Authors, or indeed ought but grave nothings, and such who deal irreverently with a World that is weary of trifles, and from which they are to expect no other Doom then that of the *Annales Volusi*.

And though as to the *fætus populi* as well as to the *fætus pecuniæ*, called *fænus*, accidents may happen that may cross the Rule of encrease in both Cases, as in the latter by *Bankrupts*, and in the former by *Plague* or *War*, &c. (and thus once as to the *Romans*, *Censa sunt Civium Capita 270 Millia*, and in the following enrollment but 137, *Ex quo numero apparuit*, saith the Historian, *quantum hominum tot præliorum adversa, fortuna populi Romani abstulisset* ; as if he would infer that the losses they received from *Hanibal* had swept away 133000 Citizens) yet do such exceptions but confirm the Rule, the which may be made out by continued mean proportionals. But this by the way.

If my Lord Herbert who mentions pag. 121 of his *History*, That in the Year 1522 Warrants were issued out, Commanding the Certificates of the Names of all above sixteen Years old, had set down the total number of the persons certified, he had much more obliged the World then by many things in his *History*.

I do not remember that any of our Historians of those times do relate the Numbers of the Religious Persons that all the suppressed Monasteries contain'd.

We are told by Godwin in his *Annals*, That the number of the Abbies that were in England is not easily cast up, and the Names of the chiefest, and whose Abbots had voices among the Peers in Parliament, he thereupon enumerates.

But Weaver in his *Funeral Monuments* p. 104, mentioning That all the Religious Houses under the Yearly value of 200 l. being given to the King, and that they were all worth per annum 20941 l. saith, That the Religious Persons put out of the same were above Ten Thousand.

My Lord Herbert p. 441, speaking of that sort of Monasteries, being dissolved in the 27th year of the King's Reign, makes *Thirty, or Thirty two Thousand pound yearly thereby fall into the King's hand*: And p. 507, makes the total yearly value of all the Religious Houses suppressed to be 161100 l. It may therefore be thence infer'd, that if *Thirty Thousand pound* yearly maintain'd 10000 Religious Persons, that there were maintain'd by the 161100 l. above 50000 Religious Persons or Regulars: And according to the aforesaid rate of the yearly value of the Land, viz. 161100 l. the allowance to each came to somewhat above 3 l. per annum, the which shews that those Lands were not sold to half the value, because less then double that Sum cannot be imagined to have maintain'd such a person then.

I do account that supposing the *Parishes* to have been then in England and Wales, as Camden in his *Britannia* says, 9284, that the *Secular Clergy* added to the Number of the Regular only the last said Number: For then the Canon Law (which requires, that Orders shall not be given to Men without Titles) being strictly executed, there were perhaps not more Parish Priests in England: And the adding to those Numbers the Dignitaries, viz. Two Archbishops, and 24 Bishops, and 26 Deans, and 60 Arch-Deacons, and 544 Prebendarys, and several Rural Deans, doth enlarge the Sum to another Thousand of Persons who lived by the Altar. Moreover there being then estimated to live in Oxford and Cambridge about Sixty Thousand Students, who in expectation of Church-preferment, as either Regulars or Seculars, abstain'd from Marriage, I account that the Number of Persons then ty'd by *Celibate* from encreasing and multiplying the people to be above 120000, as at present above double that Number are in France.

What accrued to the Secular Clergy then, or since by *Tithes* ought not to have been looked on by any one with an evil Eye, as I suppose by Mr. Fish it was not. For as to the nature of the payment of *Tithes*, according to the judgment of Sir W. P. in his Book of *Taxes and Contributions*, p. 58, It may be said to be no Tax or Levy in England, whatever it might have been in the first age of its Institution.

And this notion of his may be extended even to that which is called a Tenth, but is revera a Fifth (I mean the Tith of arables in regard of the charge of Culture and Seed, which is ordinarily at least as much as the Rent of the Land) because it is a charge equally incumbent on all proprietors of such Land, and for that the true notion of Wealth and Riches depends on comparison, and 'tis only the inequality in the proportion of the Tax that is the sting thereof.

But that which Mr. Fish chiefly level'd his Calculations at, was the excessive share in the Wealth of the Kingdom the Monks and Fryars had, who did so little for its preservation, and the encrease of its Numbers. What an infinite number of people, saith he, might have been encreased to have peopled the Realm, if this sort of Folk had been married like other Men! Instead of

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using his Rhetorical Expression of *infinite*, I shall affirm that these 120000 adult, able persons living in *Celibate* might according to the notion of the *Observer of the Bills of Mortality*, That every marriage, one with another, produceth four Children, *viz.* Two apiece for each Sex, have more then doubled their number in the same age: by which any one may well conclude, that as the number of the people of *England* is now vastly encreased by the dissolution of Abbies, so it would likewise be so diminished by their re-establishment. To effect therefore to lessen thus the number of the people of *England*, when the *French King* with great wisdom has by the Revival of the *Roman Immunity* of the *Jus trium librorum*, and the application of others, laid so a great Foundation for the growing populousness of *France*, would too much expose us to his power and derision.

The Divine Wisdom's allotting to the *Levitical Tribe* the affluent *quota* it enjoy'd, is very justly took notice of by those who discourse of the Clerical Revenue.

The Author of the *Present State of England*, saith, *That our Ancestors according to the pattern of God's ancient people the Jews, judged it expedient to allot large Revenues to the English Clergy, and that the English Clergy were the best provided for of any Clergy in the whole World, except only the Nation of the Jews, among whom the Tribe of Levi, being not the Fourth part of the twelve Tribes (as appears in the Book of Numbers) yet had, as Mr. Selden confesseth, and that by God's own appointment, three times the Annual Revenue of the greatest of the twelve Tribes.*

Doctor Covell in his *Modest and Reasonable examination of some things in use in the Church of England*, Printed Anno 1604, saith in Chapter the Eleventh, *That the Levites were not the Thirteenth part of the Jews, and yet had the Tenth: Wherein that Doctor agreed with the sense of the Fathers of the Council of Trent, who (as 'tis mention'd in the latter end of the History of that Council) said, That in the Mosaical Law God gave the Tenth to the Levites, who were the Thirteenth part of the people, prohibiting that any more should be given them: But the Clergy now which is not the Fiftieth part, hath gotten already not a Tenth only, but a Fourth part.*

But by exacter Calculations, 'tis apparent that the *Levites* though a small Tribe (if a Tribe, there being twelve beside) scarce the sixtieth part of the House of *Jacob*, had perhaps a *Sixth* of the whole profits of the Land: They had the *Tenth* or *Tith* of the Land, together with its Culture; they had in *Judæa*, a small Country, 48 Cities, with their Suburbs, 2000 Cubits from the Wall on every side, and their first-fruits, and a great part of the manifold Sacrifices, and free-will-offerings of the Male Children of *Israel*, which were to appear thrice yearly before the Lord with some Offering, and whatsoever House, Field, Person, Beast, &c. was by a singular Vow given to God, which was to be valued by the Priest himself, and all these duties were brought in to the Priest, without charge or trouble: and those Cities and Lands descended from them to their posterity, from generation to generation, as also did their *Tithes* and *Offerings*.

I shall here observe, that that which hath probably induced so many to err in making the number of the *Levites* so great as aforesaid, was their not considering what yet is really true in Nature, namely, That the number of people of any Nation from a month old and upwards (for so the *Levites* were counted *Numb. 3. 39.*) is more then double their number from Twenty years old and upward, and so the rest of the Tribes were numbred *Exod. 33. 26. Numb. 26. 62.* And therefore I infer that the *Levites* were but about a sixtieth of the number of the other Tribes.

But during the Theocracy that the *Jews* sometimes lived under, or while God was their King, it being worthy of the Divine Empire to design and promote the wealth of its Subjects, and consequently that they should encrease and multiply (for that alone is real wealth) there was no Celibate among the *Levites*, or any degree of Ecclesiasticks to hinder the same.

Having thus in the way of Calculation glanced on the Ecclesiastical Polity of God's peculiar People or Subjects, I suppose the rectitude of that Rule will shew the obliquity or warping of the practice of the Papal Clergy: For if we do admit (as I believe we well may) that there are seven Millions of people in *England*, of which 120000 is a sixtieth part, this old Church Polity of the Popes Clergy doth *Toto Cælo* differ from that of the *Israelites*, in that they spend double the proportion of the wealth of the Kingdom, and yet live in Celibate or without multiplying: And as Mr. *Fish* in effect said in that his Book, do hinder procreation by promiscuous coupling with other Mens Wives.

But 'tis a known great truth, that the great business of the Monks, and the *Ratio Studiorum* of the Papal Clergy was not to make the Kingdom populous, but to depopulate. We have for this the testimony of *Walter Mappe* Arch-deacon of *Oxford*, who was bred up with *Henry the Second*, that the Abbots and Monks in that time were very Criminous in the point of depopulation, whence that Proverb arose *Monachi desertum aut inveniunt aut faciunt*, wherever they seated themselves, they either found the place a Desert, or made it one.

'Tis said of them, *That they laid more places waste then ever William the Conqueror or his Son Rufus did, when they demolished and destroyed many Parishes to enlarge the bounds of the new Forrest.*

In that Fleet of depopulators there was one first-rate one, namely *The Abbot of Osney*, who was for his Talent of depopulating so remarkable, that 'twas observed that he made all *paupers* that dwelt within the *purlieus* of his Possessions: And of this *Henry the Second* took such notice, that one day when he had not poor people enough for his Alms on some great Festival he said in a fit of anger, *That rather then his bounty should be unemployed he would make as many beggars as the Abbot of Osney had done.*

One would think that the *Monks* should have been well willers to the encrease of the populousness of the Kingdom, for that thereby the values of their Lands would have been encreased, a thing no doubt that appeared visible to the Reasons of the more Sagacious among them: But there was another thing they found palpable, that is, they found themselves well at ease, even to envy in their vast share of the wealth of the Nation, whereby they *Lorded it over both God's inheritance*, and the Laity, and therefore they did not fancy the sight of the Sea of the people increase, by the coming in of the Tide of new generations, that would have produced much more persons to maligne, and perhaps contest with them: they naturally therefore wished the sweet absence of such company from the World, just as in *Ireland*, and other thin peopled Countries, the Natives living at their ease have sharp regrets against the accession of strangers, though they know it would raise the value of their Lands, and as in *America* the Natives wish no improvement to their Country from the *Spaniards*.

The Monks had got the Monopoly of Religion, and near half the Land by it, and not having any certain Issue to endear posterity to them, and consequently to oblige them to promote the wealth of the Kingdom in general, and to consult thereby the good of surviving parts of themselves (for that figure Children make as to Parents) they and the Abbots and Popish Bishops cared for no more then being warm in the Pyes Nest while they lived,

ved, and 'twas as natural to them to repel the thoughts of Colonies of people advancing the wealth of the Kingdom by new generations, as 'tis natural to present Trading persons to prevent the publick good of an *Act of Naturalization*.

And as this advancement of *depopulation* was therefore the interest of the *present* Monks and Priests, so was it of the *present* Popes, who knew they were sure of receiving Aids and Contributions from them, as long as numbers of other fresh comers did not drive them off the Stage.

One would rather wonder that our Popish Monarchs saw it not sooner their Interest, to crush the Politics of these holy *Depopulators* and *Pastors*, that turned the Kingdom into Sheep-walks, and who minding chiefly the encrease of Cattle by pasture, hindred that encrease of Men that the advancement of Tillage would have produced, and the furnishing the Crown with more Subsidy Men, and Soldiers. But this supineness of our Kings was not only caused by Superstition, and a vitiated fancy in Religion, an Idol to which *Philip* the Second sacrificed his *Son* (and therefore might be well supposed prevalent with others to with the generation of their Children or Subjects restrained) but our Kings were not then stimulated by necessity to promote the populousness of their Realm, for that their riches and strength depending on comparison, the same Religious *Orders* did by *Celibate* and *Depopulation* equally obstruct the Wealth and Power of the neighbouring Kingdoms as well as this, and by that means they were not our *overmatch*.

But the course of encreasing Generations having operated so far as to awaken the World, and Men for not having so much Elbow-room as they had, jostling one another by the violence of War, the politics of *Statutes* against *Depopulation* were forced and reinforced on this Realm: And like as Men, so too will such *Statutes* beget one another (as I may say) *to the end of the Chapter*. Nor is the power of the Kingdom ever likely again to be really emasculated by such as pretended *To make themselves Eunuchs for the Kingdom of Heaven's sake*, and honoured not the *Founder* of Christianity, of whom since he for the good of Mankind made his first Disciples *fishers of Men*, it may seem unworthy that he should intend the hurt of States and Kingdoms, by making the following *Doctors* of his Church *Pastors of Sheep*.

Sir *Thomas Moor* in the *first Book* of his *Utopia* doth with a sharpness worthy his excellent wit tell us, *That certain Abbots (holy Men God wot) not profiting, but much damnifying the Common Wealth, leave no ground for Tillage, they enclose all in pastures; they throw down Houses, they pull down Towns, and leave nothing standing, but only the Church, to make of it a Sheep-house. And afterward saith, That one Shepherd is enough to eat up that ground with Cattle, to the occupying whereof about husbandry many hands were requisite. And he in that Book calls the Fryers erroneus maximos, and desires they might be treated like Vagabonds and sturdy Beggars. And in the Second Book contrives a Model of the Priesthood so as not to make it such a Nufance to the Civil Government, as the Papal one was, accordingly as has been before discoursed. For one of his fundamentals there is, That the Priests should be very few, and that they should be chosen by the people like other Magistrates, and with secret voices; and enjoyns to his Priests marriage, and makes them to be promoted to no power but only to honour.*

Sir *Thomas More* it seems was far then from *Writing at the Pope's Feet*, (the Character that was afterward given to *Bellarmino's* style) and there was as little occasion for a peace-maker's interposal between him and *Fish*, as is between two wrangling Lawyers at a Bar.

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But the matter is well mended with our *English* World since the time of the *Supplication of Beggars*, as appears by the multitudes of the healthy and robust *Plebs* of our Nation, that Till the Earth and Plough the Sea; and who by the proportion of the Mony Current coming to their hands, having fortify'd their Vital Spirits with good diet, there is *finis litium*, and an end of such *Lamentations*, as the beginning of that *Supplication* to the King in part before referred mentions, viz. *Most lamentably complaineth of their woful misery to your Highness, your poor daily Beads-men the wretched hideous Monsters, on whom scarcely for horror any eye dare look, the foul unhappy sort of Lepers and other sore people, needy, impotent, blind, lame, and sick, &c. How that their Number is daily so sore encreased, that all the Alms of all the well disposed people of this your Realm is not half enough to sustain them.*

There is no doubt but their indigence was extream, when they were to glean not only after the Reaping of the *Monks*, but after the Ecclesiastick *Beggars*, the *Fratres Mendicantes*, (or as they were then called *Manducantes*) had been satiated in *diebus illis*, and when *Holy Church* almost engrossed not only the wealth but the begging in the Kingdom.

And he who now looks on our *English* infantry when they turn their *Plough-shares* into *Swords*, will see nothing of the horror of starvelings in their faces: and the Writ *de leproso amovendo* is in effect obsolete in nature, as that too *de hæretico comburendo* is abrogated: And within the *Term* of about twenty years that the Observator of the Bills of Mortality refers his Calculations to, he mentions but six of 229150 dying of the *Leprosie*. What the Bills of Mortality in *France* may contain about deaths by the *Leprosie*, happening there in late years, I know not, but do suppose that the general Scurfe appearing in the skins of the *Pesantry* there, condemned to *Sell their Birth-right* of nature for no *Pottage*, and to eat little of the Corn they Sow, and to drink as little of the Vines they Plant, and to taste little of Flesh, save what they have in Alms from the Baskets of the Abbies, and who are Dieted only for Vassalage, may be an indication of the *Leprosie*, having still its former effects among them: But our *English* Husband-men are both better fed and taught, and the poorest people here have so much of brown Bread, and the Gospel, that by the Calculations on our *Bills of Mortality* it appears, that for so many years past but One of Four Thousand is starved.

'Tis therefore I think by instinct of *Nature*, That our *Teomanry* in the Country, though not addicted to mind niceness of Controversie in Religion, nor to be dealers in the Protestant Faith by *Retaile*, are great *Whole-sale* Traders in it, and will as soon suffer their Ploughs to be took out of their Hands, as their Bibles from under their Arms: And they have been generally observed since the Plot, and some years before, to manifest in common discourse their robust abhorrences of *Popery*, as supposing that under that Religion they could neither save their Souls, nor their Bacon.

Doleman alias *Parsons* in the Second part of his *Book of the Succession*, speaking of the Numbers of the *Papists* here, makes it very considerable, In that the most part of the Country people that live out of Cities and great Towns (in which the greatest part of the *English* forces are wont to consist) are much affected ordinarily to their Religion (meaning the Popish Religion) by reason the Preachers of the contrary Religion are not so frequent with them as in Towns, &c.

But were he now alive he would find the Scene of things changed in our Country Churches since *Queen Elizabeth's* time, in whose Reign a Book was printed Anno 1585, called *A lamentable complaint of the Commonalty by way of Supplication to the High Court of Parliament for a learned Ministry*. He would find that even in the poorest of our Country Parishes (where yet by

by the encrease of people since her time, the values of the Livings are proportionably encreased) there are Ministers more learned then were there in his time, and that the *Reading* the *Prayers* and *Homilies* of our *Church* hath furnished our Country-Folks with so much understanding, as will render them for ever unwilling to sow the matter of which to make the God they must either devour, or be devour'd by. Had Mr. *Coleman* vouchsafed to have spoke with some of this sort of men, he would not have thought the whole Kingdom ready like moyse Wax to have receiv'd the impressions of Popery; but would have observ'd in them, That with the stubborn and *proverbial* *Pride* of a *Russet Coat*, they disdain to draw in the Yoke either of Papacy or Presbytery, and that they talk of *Popery* as a Religion that would sink down both their Souls and Bodies to the state of Brutes, and not only make agriculture vail to pasture, but bring them to eat Grass and Hay *more pecudum*, as a great *Cardinal* bragg'd *that they had almost prepared the Laiety to do*, till *Luther* shew'd them better things: and if any one who has not heard the sturdy *Anathema's* that our *Rustics* in their Common discourses bestow on Popery, and who has not observ'd that in Elections for *Knights of the Shire* their Suffrages are given to the most fiery Zealots against it, shall not have the same sense with me of the general intense hatred of the Countrey People against Popery, let him Cast his Eye on the *Returns* made in the *Bishops Survey* of the Number of *Papists* above the age of 16, for those two *Diocesses* in which the glory of our English *Yeomanry* so much abounds, namely of our *Yeomen of Kent*, and he shall find that the Number of *Papists* both male and female was in *Canterbury* Diocess but 142, and in that of *Rochester* 64; and one would think that the Neighbourhood of *France* might have transplanted more of the *Popish* Persuasion into those *Diocesses*.

The *Traditions* our Country People have had from their *Ancestors* concerning their state in the days of Popery, have sufficiently *antidoted* them against the poyson of *Traditions* from *Popish* Priests and such who would have them *Traditors* of their English Bibles. They have a joyful *Gusto* of the *Petition of Right* (as it were) fresh in their Mouths, and fear the being thrown back to the *supplication of Beggars*. They cannot think of the Times of *Monkery* here, without thinking of how many of the Plough-men in *England* were then *Villains*, and that too *Villains* to *Abbies*, for that part of their Land that was arable: they were *Villains* regardant to their *Mannors*, and such as the *Romans* call'd *adscriptitii glebæ*. And 'tis observed by Sir *T. Smith* in his 3^d. *Book de Repub. Anglorum*, c. 10. That the *Monks and Fryars* when they were *Conversant with the Layety as Confessors in extremis*, enjoyn'd them in the Court of Conscience for the honour of *Christianity* to manumit all their *Villains*: but (saith he) the said holy Fathers with the *Abbots and Priors* did not so by theirs. And he saith, *Quorum exemplis episcopi insistentes ab ista crudelitate nisi pretio conducti, aut Calumniis impetiti sero deterreri potuerunt. Dein æquatis solo Monasteriis & in manus laicorum recidentibus, libertatem omnes adepti sunt. i. e.* But at last the *Monasteries* being levell'd with the ground, they all gain'd their freedom.

Thus did the *Abbots and Monks* formerly affect the Monopoly of ordering *Villainage*: and the multiplying of the People born of their *Villains* by succeeding Generations, did but multiply Slaves to the *Abbies*; and at the same time they sow'd Corn for the *Abbys*, they sow'd their Children too to *Villainage*: The which is apparent by an *Abbot and Convent's formula of manumission* in *Edward the Third's* time, mention'd in *Blount*, viz. *Omnibus—Frater Mathæus Abbas de Halesoweign & Conventus ejusdem loci salutem. Noveritis Nos unanimi voluntate & Consensu fecisse Johannem del Grene de Rugaker liberum cum tota sequela sua procreatâ & procreandâ.*

But the Children that now come to see the light in *England*, are not *dam-nati antequam Nati*, Condemned to Servitude before they are born, and our Yeomen that are above wearing the *Badges* of our *Nobles*, will scorn the Vassalage to *Friers*: and when the *Genius* of the English Nation is so full of *Can-dor* (and what few Nations can pretend to) that they never make *Slaves* of their Prisoners of War in any part of *Europe*, none I believe will ever see their incomparable *Infantry* by whom their *Battels* are won, to become *Slaves* in Peace, and the very *Slaves* too of *Slaves*, I mean of the Monastic *Slaves* to sloth.

That 40 s. a Year that made them in the state of *legales homines heretofore*, is now become in value 6 l. *per annum*: and as by the encrease of their Wealth they are the more enabled to go to *Law*, so the Policy of *William the Conquerour* to have mens *Lands* lie scatter'd as they are in *Common Fields*, to the intent that the multiplicity of *Law Sutes* occasion'd thereby might divert their uniting against him, (the which hath been *Commonly* call'd the *Conquerour's Curse*) hath however enured them to a pugnacious spirit of litigation in the *Law*, and the effect of which tough *mettle* of theirs, *Popery* is likely to find if ever it shall be a *Trespasser* on them: and in fine, *Popery* need never *balder* us with any other *miracles*, if it can effect this one, namely, to reconcile our Husbandmen to love it, and to applaud the *Jus Divinum* of the *Monks* that coming in *Sheeps clothing*, would by a *Pasce Oves* make *Pasture* confound *Tillage*.

The truth is, they are as unlikely ever to effect this, as are any who love the Noble Sport of *Hunting*, to reduce *England* to its Primitive state, and more remote then *Pasture*, namely, *Forrest*, (for that and *Marsh* is the *Natural* state of all uncultivated and desolate Lands) tho they should too try to hunt as with a full cry out of the Scripture into that state, and with the *ro* *v* *†* *Q* of *Isaia*, cry, *Resonate Montes laudationem, sylva & omne lignum ejus*; and further tell us of the antiquity of the Divine Right to *Forrests* appearing out of those words of the Royal Prophet, *For all the Beasts of the Forrest are mine, &c.* and should insinuate that 'twas fit to unpeople the Earth of men to make groves for Gods to inhabit.

We are told in the *Preface* to *Manwood*, That in the Reigns of *Richard the First*, *King John*, and *Henry the Second*, the *Crown* had *afforrested* so much of the *Lands* of the *Subjects*, as that the greatest part of this *Realm* was then become *Forrest*; but no man is so senseless as to pretend to fear the Return of any such state in *England*.

And according to the Principles of Sense and reason it may be affirm'd, That all Monkish hopes of our Ploughmen happening again to be over-run by Shepherds, are very extravagant, and *Popery* will grossly err, if it shall think that Poverty will ever compel this sort of men to the turpitude of taking up illegal Arms for it, or that it can eradicate their innate hatred against it.

The Subsistence that the Plough afforded our Husbandmen in their Trade, made few of them in Comparison of those of other Trades, become Souldiers in our late Civil Warrs: Nor were they then observ'd to favour those hyhocritical *Religion-Traders* the Land was then pester'd with. Nor indeed can they who really Till and Improve the Earth, naturally affect those who pretend to Cultivate Heaven; and by necessity of Nature it must still come to pass, that they who acquire their own bread by rearing it for others with hard labour, will have an aversion against those who can subsist luxuriously, by cheating others of it with easie Tricks, and against any attempts for a Resetled *Monkery*, which would, after the mode of the *Pyed Piper*, demand an unconscionable rate for trying to rid us of a few *hæretical Mice*, and which too tho our Land should pay, would yet depopulate it of its Children.

And

And here I cannot forbear to Observe, That there happen'd one thing so momentous, that it can never be forgot while the *English* Nation has a Being, and which did among our people in the Country Convey a fresh sense of the Pestilential nature of Popery, and of the encreasing Danger of its infection, and that is, that the Body of our Clergy of the Church of *England*, did generally from the Press and Pulpit for some Years together send so many strong Antidotes against Popery round the Kingdom. Every Pulpit almost from one end of the Land to the other did resound, as I may say, with a *Seasonable discourse against Popery*. It may be with Justice apply'd to those *Discourses* of our *Divines*, That they alarmed more than our *English* World, or perhaps the *Roman*, and that the World elsewhere did ring with their ὁ φθόγγος; I here allude to those words in the Epistle to the *Romans*, Εἰς πάσαν τὴν γῆν ἐξῆλθεν ὁ φθόγγος αὐτῶν καὶ εἰς τὰ πέδια τῆ οἰκουμένης τὰ ῥήματα αὐτῶν: *Their sound went into all the Earth, and their words to the ends of the World*. There is no doubt but their *Sound* was heard to *Rome* by the help of the *Jesuits* intelligence, and that our *Divines* knew when they so Preach'd and Writ, they had pass'd the *Rubicon*, and that 'twas in vain like *Cranmer* to try to be reconciled to irreconcilable *Rome*, and that 'twould be as much in vain in any Course of future time to use politic whispers in Commendation of Popery after their former loudness against it, as for one who told a Husband that he saw such an one struggling to ravish his Wife, to say afterward that he was a very Civil Gentleman.

Our *Fanaticks* therefore do by nothing more deserve that Name, then by nick-naming the Body of the *Clergy* of the Church of *England* as fautors of Popery, since 'twas but of yesterday that almost all our First and Second Rate *Divines* did like *Capital Ships* (as I may say) one after another attaque the Fleet of the *Romanists*, and discharge their Thunder upon them: but as my Lord *Bacon* hath observ'd, That in great Sounds the Continuance is more than momentary, and that the noyse of Great Ordnance, of which the Sound is carry'd many miles on the Land, and much further on the Sea, will there come to the Ear not in the instant of the shooting off, but an hour or more later, the which must needs be the Continuance of the first Sound; Thus too, I hope, that the aforesaid late ὁ φθόγγος of our *Capital Divines* against Popery which has been heard far and near among our Countrey Inhabitants, (and will I believe Continue audible among them during the hour of life) will in part of that *hour*, sooner or later, be heard with regard by our weaker *Brethren*.

But what a *Dæmon* then in understanding, or *God* of *Eloquence* had he need to think himself, and to be thought too such by others, who Imagines to talk *England* both out of its *Manna* of Religion, and what is better then its *Flesh-Pots* too, and to persuade us by bringing in *Monkery* again, to have our Land ore-run with Flocks of Sheep, and to want hands to Work their Fleeces, or (as I may say) to fancy to have Manufacture without hands; and for want thereof, to make our Sheep almost useless but only to eat, and in that way too to be chiefly appropriated to the Stomachs of *Lubbers*; and, who would allow our Land Flocks of Sheep, but not Dogs to guard them; I mean a sufficient growing *Populacy* in the Land to defend both it, and the very Flocks in it, and I may add too, who would almost make the Wooll of our Sheep useless but only to send into Forrain Parts; and who would abdicate from the Land that benefit of the continual passing of our *Wooll* here through so many hands busy'd in Trade, and thence fill'd with Wealth in the way of *Interest upon Interest* intended by Nature for the maintenance and subsistence of our People, so multiplying as aforesaid, and preparing Tables for all new Guests here, let them come into the World never so fast; and would have us Consent to the diminution of the
Number

Number of our People, when for want of our being fully stock'd with them, so great a part of our Land lyes fallow every Year, as doth not in Countreys sufficiently Populous, and where the Lands value will quit the cost of the Manuring.

Alas; when through the Divine Blessing *England* shall arrive at the state of being fully Peopled, and being got beyond *Pasture*, that *first* improvement of a thin Peopled Country, shall likewise have Compleated *that second* of *Tillage*, that our being better Peopled will occasion, there will lie a *third* in our View to employ the Labours of our Consummate *Populacy*, namely that of *Gardening*, and to oblige us that the Earth shall produce nothing but what is exactly useful: and instead of going back from *Tillage* to *Pasture*, we must naturally go forward from *Tillage* to *Gardening*, whereby one *Acre* may be made to maintain Twenty persons, whereas now 'tis observ'd that 20 *Acres* generally throughout *England* maintain but a fourth of that number, viz. 5. persons.

And when we are thus furnished with as many People as by *Tillage* or *Gardening* can well live on the *Land*, 'tis then, and not before, that our encreasing Populoufness will push on greater numbers of our Inhabitants to live on the *Sea*, which none will choose to do, that can live on the Shoare: and 'tis only such a state of populacy that can naturally make us Masters of the *Fishing-Trade*; to compass which, all our Projects before, whether by *Acts* of *Parliament*, or *Companies* and *Stock*, will be but *Chymetical*.

Moreover, 'tis only such a state of *Populacy* that will exonerate us of those burdens of the Earth, and scandals to Heaven, I mean all *Religion-Traders*, whether *Popish* or *Fanatical*, those vilest of *Nominales* who cheat in *nomine Domini*, and such likewise who disquiet States by assuming the Trade of *World-menders*, and everlasting *Propounders*, that are like busie *Insects* flying in the Eys of Mankind, (and whom Sir *E. Coke* in the 85. *Ch.* of his *Institutes*, which is entituled against *Monopolists, Propounders and Projectors*, deservedly brands) and *Atheists* that would reform a Church, Bankrupts in their particular Trades that would advance Trade in general, Defiers of Justice who would amend the Law, and wasting that time as *Censors* of the Manners of Kings for not paying their Debts, which they should employ in acquiring *Assets* to pay their own: In fine, Undertakers to Cure Church and State as Confident as the *Quack* who said in his Bills, *He Cureth all Diseases both cureable, and incureable*. All these sorts of men whose Trade is talking, and whose talk is cheat, will only come to be *Bankrupt* by being heaved out of all places by the Generations of Useful Traders multiplying there. Nature that has been long laying its Siege to such *Idlers* in places of resort, will then at last carry on its works so far as to leave them no Earth to play their Engines upon, and such unprofitable people will be as naturally extruded out of our Towns, as are Women and Children out of Places besieged: nor can all the humming of their *Propositions* procure them more continuance in such places of business, then the noyse of Drones entitle them to a residence in the Hive; and it will as little quit Cost to have them planted in our Cities, as for a Gardiner that pays a high Rent to have beds for weeds.

Of the Improvement of great quantities of Land by Gardening, the *Ilands* of *Jersey* and *Guernsey*, are examples: and we have a Pleasant and Profitable Prospect of such Improvement near our *Metropolis* and other Great Cities; and I doubt not but *England* may flourish so as to become the *Garden* of the World: and do as little doubt of any Course of time bringing the Pope again to say as *Matthew Paris* tells us he did, *Verè hortus Noster deliciarum est Anglia*, as I do of that honest Monk's sleeping till the Resurrection, or Mr. *Coleman's* having any more Dreams of a Paradise in the Gardens of *Wooburn*.

'Tis

'Tis hard for a *Visionaire* not to fancy any thing possible : but he who shall pronounce that *England* can from its present improvement and populousness be driven back *ad primordia rerum*, and that the many cultivated understandings in it, and who have reduced Knowledge *ad firmam* by calculation, can be reduced to the Calculation only of *Beads* and be imposed on like the *Indians* to part with their Gold for *Beads*, and that half the Land of *England* now inhabited by three *Millions* of People (as all estimates make to be the least that half of it contains) will be delivered up to 50000 *Regulars* and to persons that the *Laws* in being allow not so much as a Foot of Earth for *Graves*, and that it is not of equal detriment to a Country to have half the Land made *unprofitable* and become *Bog* or the like, as to be long in perpetuity to *unprofitable* people, and that such as make *property* their God (which they who over value the things of this Life do, and are the Majority of any Country) will idly sacrifice it to those *real* Impropiators who make but a *Property* (as I may say) of God, I mean those hypocritical *Idlers* who only by a Religion-Craft without any service useful to Mankind claim a great Quota of the Profits of others labours, and that when we are going on so fast toward the exactest culture by *Gardening*, which excludes all Weeds, the old *inimicus homo* shall find six *Millions* asleep to give him an opportunity to sow *Tares* and to ask half the Land for his pains, I say, he who shall pronounce as aforesaid, is one that looks but at few things, and so *de facili* shoots his Bolt, and is one that we may think to be a fool without being in danger of *Hell Fire* : and *Holy Churches* great work of the Conversion of three Kingdoms, to the end that it may Convert half the Land again to its use, is likely to prove as fruitless as the Christian endeavours to recover the *Holy Land*.

There is such a strong Rampart of living Earth against the assaults of *Popery* in this kind. I mean the Number of our Protestants and particularly of those employ'd in Tilling the Land, that *Popery* cannot dissolve : and let it pipe never so plausibly, we shall be like the *deaf Adder* stopping our Ears by laying them against the Earth we are possess'd of.

My Lord, They who have observed the *Intervals* of your pleasure, when you have had some breathing times for retirement, from the fatigue of Affairs of State, know that the contriving the improvement of your Ground by Tillage and Planting and Gardening, hath been at once your care and your delight. And I believe *Cicero's Cato Major* doth not describe the pleasure of *old Age* in the improvement of the Earth, with greater height than your Lordship is able to do : and your example in this thing may Crown both that of *Tully* and the Aged *Hero's* by him there commemorated for delighting in *Husbandry* : and indeed it may be supposed but natural for old Age being so near the Earth its Center to move with a quicker sort of delight toward it, and especially among Christians to whom the dull Earth Aided by the acuteness of *St. Paul* (I referr to his similitude of the Corn) is so kind and grateful for their culture of it, as to Court them with an Embleme of their *Resurrection*, and to teach them a surer way, than *Gallæus* had found out to Transplant the Earth into Heaven. But now, methinks to one that has so curious and perfect a Sence of this solid and manly pleasure that the Culture of the Earth affords, as your Lordship, the very Idea of *England's* Degeneracy from its thriving State of *Agriculture* to poor solitary pasture (how unpracticable soever the thing is) must necessarily carry some horror with it to be imagined, and the very telling it to you that some vain Popish *Projectors* would rob us not only of the Culture of Learning, but even of that of the very Earth, must give your thoughts a *Nausea* instead of such a Noble *Extacy* as fill'd the whole

Soul of *Erasmus* who in his old Age in a *Letter* to *Budæus* speaking of Sir *Thomas More's* and other mens *Works* that did then begin to beautifie the World with Learning, cryes out, *Deum immortalem, quod seculum video brevi futurum! Utinam contingat rejuvenescere!*

And as I am sure you would not desire to *Renew your Touth like the Eagle*, only to live in an Age of *buzzards*, so you know too much of the course of nature to wish your Life a day shorter for fear of the longevity of Popery, if ever it should call it self here the State-Religion: for it can naturally be but a short dull *Parentthesis* of time in an Age of Sense, and the Eye of Reason can see through the duration of it as well as thorough its absurdities, and it can naturally be but like an angry Cloud, that with the Eye of Sense we shall see both dropping and rowling away over our heads, and shall behold the Sun playing with its Beams around the Heavens, near it at the same time: and nothing can be easier to you then to *dye in the Faith*, that Popery cannot live long in *England*, and to know that you are not to be compared to an *Infidel*, though you should have provided for your surviving Family nothing but *Abby Lands*, the which I believe may by a bold instrument of Eternity drawn by a small Scriveners Boy, be effectually Conveyed to any Lay-man and his Heirs for ever.

I know that the present State of that part of the Land of *England* that was aliend from the Church, is such that it bears not the price of years purchase it did before the *Plott*, and that it is according to the common expression, *become a drug* as to Moneys being taken up on it in comparison of other Lands: and it is obvious to consider how much herein the *Plott* hath prejudiced the Wealth and Trade of the Kingdom, in making so great a part of the Land in some regard comparatively useles to the Possessors: but I likewise know that hereby Popery will be no gainer, for that 'tis apparent that the owners of it will be indefatigable in the use of all means lawful to bring Popery to such a State, as shall make any men ashamed to say they fear it.

Tho *Holy Church* that everlasting *Minor*, that *Minor* like Sir *Thomas Mores* Child that he said would be always one, will be still labouring the Resumption of what was alien'd from it (and hence I believe it hath proceeded, that our Kings tho in the eye of the Law always at full Age, have thought fit to learn from *Holy Church* the Priviledge too of being reputed *Minors* or *Infants* in Law, for so the Books call them, that upon occasion they may resume what was alien'd from the Crown) and tho the hopes of such resumption would be a bait to help Popery to Multitudes of Profelytes, yet the people imagine a vain thing who think such resuming practicable in *England*, and especially at this time if the *Calculation* of the *Ebb* of the Coinage of *England* be as is contain'd in *Britannia languens*, viz. from the foremention'd period of May 1657, to November 1675, (near another nineteen years) 3,238,997 l. 16 s. 3, a Calculation that I think cannot be disproved but by the *Records* in the *Pipe Office*, where annual account of the Money Coined in the Mint are preserved, or by *Ballances* of Trade made up from that time, whereby the exportations eminently preponderating what is imported, would evince what considerable quantities of Bullion have been Coyned, or by our knowing that since that time *Sterling Silver* has not still obtain'd the Price of 5 s 2d an Ounce, a price that it has not indeed fall'n short of in *England* about these twenty years past, and therefore before the late *Act* for the Coynage, could never be entertain'd by the Mint to be Coyn'd, which was by its Law and Course necessarily restrain'd from giving for *Sterling Silver* above 5 s. the Ounce, and which Rate and no more it did afford when the *Ballance* of Trade favouring us caus'd that vast Coynage mentioned in the former *Ternary* of nineteen years.

But

But in fine, his Majesties Royal Goodness to his People in not only quitting what did accrue to him for *Coynage*, but being at the expence of the Coyning the most exquisite sort of Money in the known world, and such as in Curiosity does equal Meddals, is an indication of the *Ballance of Trade*, not having employed the Mint sufficiently in making for his Subjects the *Medium of Commerce*; and for the depression of the Trade not only of the *English* but of more then the *European* World, the Usurper *Cromwel* is to be justly blamed, who not long after the wounds *England* had felt by the *Munster* Peace, did harraß us by his fantastick War with *Spain*, which not only impoverish'd *England* but the Trading World, and forcibly obstructing the Returns of the *Spanish* Plate Fleets, did particularly put both *Spain* and *France* under a necessity of making that Peace that gave the *French* Crown its leasure to trouble the World.

But let any one judge then how ridiculous it is to suppose, that the Trade of the Nation must not, as I may say, shut up Shop, if half its wealth should be again juggled into the hands of a few Ecclesiasticks, and the old Trade between *England* and *Rome* be renew'd of giving the Pope *Gold* for *Lead*.

It must indeed be acknowledged by all who have conversed with History that the absolute and unbounded Power with which the *Eastern* Monararchs Governed their Kingdoms, did not more require an excessive share of the publick Revenue to feed standing Armies then Priests, who with their Idols and Superstitions, and Crafts, did awe and delude People into obedience: but as in orderly Commonwealths there is no need of such an immense Charge for Artifice to make men obey themselves, so in our Constitution of the *English* Government, it being justly to be supposed, that we have all the desireable, solid and substantial freedom that any Form of Government can import, besides the insignificance of the name of it (and insignificant we may well call it who remember that our late real Oligarchists took not only *the name of God*, but the name of a Commonwealth *in vain*) and are to the envy of Forraigners, and shame of our former Domestick Propounders, blessed with the Sovereign Power of a *Great and Glorious, King over a free and happy People* (as the words of the *Royal Martyr* are in one of his *Declarations*) it may be well said to any one who shall talk of giving half the profits of the Realm to use Art, and Imposture to make Members obey their Head so constituted, *quorsum perditio hæc?*

But in a word, to come closer to the Case of Popery, any one that would have half the Revenue of the Kingdom given to Impostors for the making a Monarch only half a King, or King but of half his People, and for the tricking both him and them into a blind obedience to a Forraign Head, and for the making a Forraign Power Arbitrary and absolute, is a very bad Land-Merchant, and knoweth not the use or value of the soyle of *England*, and will never find the half of 25 Millions of Acres sold for Chains and Fetters, and will be put to the trouble of taking out the Writ, *de idiota inquirendo* against at least three Millions who have already outwitted him, and will never think a Forraign *Minor* and whose concessions are resumable, fit to be their Guardian, and account it a very preposterous thing that since our *Saviour* refused to *divide* an Inheritance, his pretended *Vicar* should do nothing else.

Moreover *Holy Churches* resuming all its Lands out of *Lay* hands, would appear the more strange in *England* when we see (as my Lord Primate *Bramhal* saith in his *vindication of the Church of England*, p. 212) that the very *Kings* of *Spain* impose *Pensions* usually on *Ecclesiastical preferments*

to the 4th part of the value, and particularly one Pension on the Arch-Bishoprick of Sivile in favour of an Infant of Castile of greater value then all the Pensions there imposed by the Pope; and when we know that the French King doth for the behoof of so great a number of Lay-men, impose so many and great Pensions on the Abbeyes without saying to the Abbots more then *Car tel est nostre plaisir*.

Sir Edwyn Sands in his *Europæ Speculum* writ in the Year 1599, and in the time of Harry the 4th of France, speaking of that Kingdom, saith, *That there the Church Prelacies and other Governments of Souls, are made the Fees and Charges of meer Courtiers and Soldiers:* and our excellent Animadverter on Monsieur Sorbier reflecting on that Country, intimates in effect how there the chiefest spiritual dignities are entailed upon Families, and possess'd by Children.

They who unjustly cry out of the Constitution of the Church of England, for interrupting the Trade of the Kingdom, would be loud enough in their Complaints of *Omnia comesta à Belo* under Popery.

He who knows not that the Revenue of the King now depends in a manner solely upon Trade, and that Trade depends on populousness, and that the encouragement of people to live under any Government, is that great thing, call'd Property in their Estates, Religion, and Laws, and that therefore any thing that calls it self Religion, that goes to exterminate above a hundred and fifty persons for every one it leaves (for so the Proportion between Non-Papists and Papists by the Bishops survey made about the Year 1676, was return'd to be) and to call them Hereticks, and which makes their Goods and life *ipso facto* a forfeit of the Law, will not *ipso facto* exterminate Trade, is fitter for the Gallies or a Trading Voyage to the *Anticyræ*, then for any discourse of Trade and Commerce.

Your Lordship hath in your Travels sufficiently seen it long since exemplified, that the Protestant Countries for the quantity of Ground exceed the Popish in Trade, and numbers of People, and that thus the Protestant Hanse Towns have eclipsed their Roman Catholick Neighbours; and Amsterdam, Antwerp, and the United Provinces, Flanders, and that in Flanders where the Ecclesiasticks are Proprietors of seven parts of ten of the whole Country, Levies of Men and Money for the defence thereof have been made, with so much slowness and difficulty, and been so inconsiderable as not to have secured themselves against Invaders.

Nor did the Ecclesiasticks there think it worth their while, to strain themselves in Contributions to resist an Invader who is of their own Religion (the which made the French Kings Victories there flie like Lightning) more then our over-rich English Regulars did to oppose William the Conqueror, when he came here under the Popes Banner. And thus were they here, and in Flanders are like Wens in the Body which draw to themselves much nourishment and are of great trouble and no use, and thus ridiculous is it that so over great a part of the property of the Land, should be linked to persons, who are no way linked to the interest of the Country, more then professed Gamblers and Empyrics and Soldiers of Fortune, and are no more damnified by Popish Invaders, then Fishes of the Sea are by Earth-Quakes.

But on the other hand in the United-Provinces, how easily and soon are vast Taxes raised when their All is at Stake, & to what a prodigious encrease of the numbers of their People have they attain'd since the Reformation? insomuch that the Author of a Political discourse of the Interest of Holland Printed in Dutch in the Year 1669, and Licensed by John de Witt and by Van Beaumont, makes the People in the Province of Holland to be 2 Millions and 400 thousand, and so likewise doth Pellerus in his Learned Notes on

Klockius

Klockius de Aerario p. 300. and there cites that Book of the interest of *Holland*, when as *Gerard Malynes* in his *Lex mercatoria* makes the People in *Flanders* in the Year 1622 to have consisted of a hundred and forty thousand Families, and he reckoning each of them one with an other at 5 persons, makes the Total of the people in *Flanders* to have then amounted but to seven hundred thousand Souls.

And yet as that Author of the interest of *Holland* saith, the Province of *Holland* can hardly make 400 thousand profitable Acres or *Morgens* of Land, Down and Heath not put in, and that the 8th part of the Inhabitants of *Holland* cannot be nourished with what is growing there: but tells us what prodigious Granaries they there have, and that *Amsterdam* that in the Year 1571 was about 200 *Morgens* or Acres of Land, was in the year 1650 enlarged to 600 *Morgens* or Acres of Land in Circumference, and to have in it three hundred thousand Souls.

And the defence of the *Zelanders* Choice Printed in the Year 1673, mentions *Aitsmas Liere* to have reckon'd the publick Incomes of *Holland* alone in the Year 1643, to have amounted to 1100 thousand pound Sterling; and the Author of the Interest of *Holland* saith, that in one Year in a time of Peace, viz. In the Year 1664 the Inhabitants of *Holland* did over and above the Customs and other Domains of the Earls or States of *Holland* pay towards the publick Charge as follows, viz.

To the States of *Holland* 11 Millions of Guilders.

To the Admiralty of the *Maze*, 472 898 Guilders.

To the Admiralty of *Amsterdam* 2 Millions of Guilders.

To the Admiralty of the *Northern Quarter*, 200 thousand Guilders.

Which comes to in all about 14 hundred, 87 thousand Pounds Sterling. How meanly do the Atchievements of *Venice*, and their Efforts to aggrandize their Republick, compared with *Hollands* shew in story, for the quantity of years many times doubled since the *Dutch* threw off the Yoke of the Papacy! History hath recorded the longevity of the *Venetian* Government as it has of *Methusalem* of whom we read, not of any great thing he said, or did, or attempted; but a few days of the short life of *Alexander*, in the Ballance of fame weighs down the 999 years of the other.

The very Religion of Popery makes the *Venetians* more narrow in their principles, and even in their Rules of Traffick then are the Inhabitants of Protestant Countries. The Popish Religion doth hamper its devout Professors as to Trading with Hereticks, and holding Communication with such as are *ipso jure* & *ipso facto* excommunicated, and giving any Quarentine to men said to be infected with Heresie, insomuch that we are told in *D'Offat's* Letters, Part. 2d. That the Republick of *Venice* would not suffer the Ambassador of *Henry* the 4th to them tho' a Catholick to be admitted to their Chappels with other Ambassadors, because they did not know his Master to be reconciled to the See of *Rome*.

And *Bodin de Rep.* says, That the number of the Inhabitants of *Venice* was taken Anno 1555, and was then in all but one hundred and eighty thousand and four hundred and forty.

Sir William Temple in the 5th Chapter of his Observations on the United Provinces, makes one of the great Causes of the first Revolt in the Low-Countries to be the oppression of Mens Consciences, or Persecution in their Liberties, Estates, and Lives on the pretence of Religion; and it may be truly said that by their buying the truth at the Rate of such high Taxes as they now pay, and not selling it either to *France* or *Spain*, they have been no losers; for many good Artists and wealthy Fugitives have brought their Persons and Families and Estates to them for shelter, from the Storm of Papal Persecu-

tion, and daily continue so to do ; insomuch that the *Author of the Zelanders Choice* in Sect. 3. Observes that of late years some of the Wise Men of the Reformed Religion in France, being fearful of its being there utterly supplanted, have required their Children by their last Wills and Testaments to leave France and settle themselves in the United Provinces : and in so doing, they bestowed rich Legacies on Holland, each head of any new comer being judged to add at a Medium 3 l. per year to the riches of the State.

The late great accession of Protestant strangers to Amsterdam, hath caused many new houses to be there built, and hath raised the Rents of the old ones a 5th part, whereas they are sunk a 4th in Cheapside in London.

'Tis there that Men of every Nation under Heaven, Parthians, and Arabians, Jews, Papists, Calvinists, Lutherans, and the Christians of the Subdivisions of all Sects do hear Men speak in their own Language, and what they think most Musical to them, the wonderful works of God.

Nor are the Enemies to Monarchy to ascribe the flourishing State of Holland, to its former throwing the Power of the State-holder, and Captain General out of the Ballance of their Government. Their breaking down the Banks of his Authority, introduced the sudden inundation of the French Power among them, that they had else been more secured against then the Assaults of the Ocean, and not have so perfectly forgot the Art and Nature of Defensive War in their Frontiers : and tho' it may seem plausible that an Animal, supposed to have most heads, will have most brains, and that Republicks are more apprehensive of their true interest then other Governments, yet to the Reproach of such Politicks it appear'd, that when the Regnant Faction in Holland were no more headed by a Captain General or State-holder, and had thrown the poise of his Power out of the Scales, they grew so vain, as tho' they had no Capital Ships, yet to become aggressors in a Naval War against England, that had Ships enow of that kind to affright the World, and of which War the Result was the abolishing their great Navigation to England, from whence their forced frequenting of our Harbours, still occasions their exporting more of our Commodities then we import of theirs. But this by the way.

However so vast yet is their Navigation, and the number of their Mariners that tho' we need them not for our Carriers, both Spain and France do : and to which Kingdoms they have and probably will for some Ages to come, have the honour and profit to be Carriers, how much soever France is or seems to be fear'd by us : and thus that *Book of the Interest of Holland* tells us, viz. That the French have very few Ships and Marriners of their own, so that almost all their Traffick for Holland (some few English Ships of Trade excepted) is driven by Dutch Ships, and that when any Goods are transported from one French Haven to another, they are laden on Board Dutch Vessels, and that as to Spain, that it hath so few Marriners and Ships that since the Peace between them and Holland, they have used to hire Dutch Ships to sail to the Indies.

And therefore when I consider what that ingenious Author hath thus discoursed, and that Sir W. P. in a Manuscript discourse in the Year 1671, hath Calculated the number of the Total of the Seamen, who are Subjects of France to be 15000, and that a great and fatal diminution of the number of them since happen'd in the Year 1678, by so many of their then perishing under D' Estre in the West-Indies, and that as the Author of *Britannia languens* saith, The Dutch have at least 10 times as many Seamen as the English, I shall venture to conclude that more then all the Millions of Mankind now living will be dissolved to Ashes before (humanly speaking)

ing) it will be possible for *France* to over-balance either the *Dutch* or *English* at Sea, and whoever they are that pretend to fear the Contrary, I think they do but pretend to fear it.

But at once to return to the consideration of the gain *Holland* hath from fresh *Advenæ*, and to take my leave of it, all old Trades being there fully improved, such new comers are forced to dig up a new Soile of Trade and Industry, as I may call it, for their subsistence; and thus at the Charge of their Experiments the Country is enriched: and many new Artists there bring with them their old experimented Arts, and thus 'tis known that an *English-man* from *Tarmouth* coming to be an Inhabitant among them, taught them the rich *Arcanum* of the Fishing Trade: and since they refused to pray to dead *Saints* in the way of Popery, they have found living *Saints* praying to them to be admitted to live with them, and have not only had the honour to entertain *Saints*, but by being not forgetful to entertain *Strangers*, they have unawares entertain'd *Angels* (as the Scripture expression is) and such who have proved tutelary ones to their Country and Religion.

No marvel therefore if the Learned *Divine*, the Author of the *Defence of the Zelanders Choice*, doth there so pathetically pronounce his opinion, that if ever the Protestant Religion shall leave *Holland*, that Country may be called *Ichabod*, i. e. the Glory is departed from it.

And here I should be injurious to the Political Energy of the Reformation in *England*, if I should not observe how vastly it has contributed to the encrease of the value of our Land, and the number of the people and the extent of our Commerce, and indeed of Commerce it self.

It was not long before the Reformation that the Kings and People of *England*, maintained themselves chiefly by *Sheperdry*, and the Kings and people of *France* by *Tillage*, and their great improvement in Manufacture, bears Date but from *Harry* the 4ths time. The great Scene of *Merchandizing* was not open'd in *Europe* till about 6, or 7 hundred years ago, and till then none were there worthy the names of Merchants except some few in the Republicks of *Italy*, who lived in the Mediterranean parts trading with the *Indian* Caravans in the *Levant*, or driving some inland Trade, and then and some hundreds of years afterward, the Nations in the worst Soil of *Europe* being the greatest breeders, and having superfluity of nothing but people, had no invention for living but by being Murderers, and by the boisterous Trade of Fighting their way into better Quarters: and during that dark and Iron Age that produced Herds of Men void of knowledge, there was nothing in humane Conversation or discourse valuable; and in our *European* World it was scarce worth Men a few steps to gain one anothers acquaintance: but on the gradual encrease of knowledge there, Men found a readier way at once with delight and profit to exchange Notions and Commodities of Traffick, and the Protestant Religion at last drawing up the Curtain that kept all things obscure on that Stage of the World, Men being better taught the knowledge of the God of Nature and of Nature it self, were grown worth one anothers knowledge, and were for the surprizing brightness of their intellectual Talents gazed on by the wondring World, like in *Machines*, Gods coming down out of Clouds, and it was worthy of the bounty of Heaven, then to spread on the Earth the Commerce of Men and the Medium of Commerce too, and to allow them to converse together with more splendor by the Donative of the *American Mines* when the dawn of the knowledge a little before that of the Reformation had rendered them conversable Creatures, and fit for the interviews of one another: and shortly afterwards by a mighty encrease of Navigation, many did pass to and fro, and knowledge was more and more encreased.

Thus

Thus as I have some where read of a saying of one of the *Fathers*, *Deus ambit nos donis & formâ suâ*, the Divine Goodness provided that the World should *Esouse* the beauty of the Reformation with a great Dowry, and that it should appear particularly in *England* with the great Figure that *Wisdom* makes in the *Proverbs*, *Length of days is in her right hand, and in her left hand riches and honour.*

And the truth is conspicuous in our *English* History that former intervals of some Efforts of Trade, and of some, of withstanding the Papal Encroachments were alway contemporary, and liv'd and dy'd together, and they were no sooner risen out of the Grave where the barbarity of former times depressed them, but they were again found in one anothers Embraces.

That the Stock and Wealth of the Kingdom, is vastly encreased since *Harry* the 8ths time, is visible to any one who considers what *Stow* saith in his *Annals* on the Year 1523, the 15th Year of his Reign, *That when in a Parliament held at Black-Fryers, and where Sir Thomas More was Speaker, 800000 l. was required to be raised of the fifth part of every mans Goods and Lands, that is 4s. of every Pound to be paid in 4 years: but it was denyed, and it was proved manifestly that if the fifth part of the substance of the Realm were but 800000 l., and if Men should pay to the King the fifth part of their Goods in Money or Plate, that there was not so much Money out of the Kings hands in all the Realm: for the fifth part of every Mans Goods is not in Money or Plate, &c. And then consequently if all the Money were brought to the Kings hands, then Men must barter Cloath for Victuals, &c. And there it was further Argued that the King had by way of Loan 2 s. in the Pound (which is 400000 l.) and if he had 4 s. more in the Pound, 'twould amount to 1200000 l., which is almost the 3^d part of every Mans Goods, which in Coyn cannot be had within the Realm.*

That the Merchandizing Trade of *England* was before the Reformation, and sometime after managed chiefly by Forraigners, we Learn out of *Heylin's Edward* the 6th, p. 108, where he saith that *Edward* the 6th, *Supprest the Corporation of Merchant Strangers, the Merchants of the Stilyard, concerning which we are to know that the English in the times foregoing being neither strong in Shipping, nor much accustomed to the Sea, received all such Commodities as were not of the growth of their own Country from the hands of Strangers, resorting hither from all parts to upbraid our laziness, namely Merchants known by the name of Easterlings, who brought hither Wheat and Rye and Grain, &c. for their encouragement wherein they were amply priviledged and exempted from many impositions.*

I shall here deduce a proof of the growth of the Revenue of the Nation, from the growth of that of the Church, and to prove that the Revenue of the Church & Nation of *England* were in the year 1660 about Quintuple, to what they were at the time of the Reformation, I shall say first that *Godwin* in his Catalogue of *Bishops*, makes the Revenue of the Arch-Bishops and Bishops to be valued at the time of the Reformation near 22000 l. per Annum, and if we admit the Revenue of the Deans and Chapters, to be double the Sum, viz. 44000 l. then will the whole Revenue of the Hierarchy appear to have been then 66000 l. per Annum.

But *Dr. Cornelius Burges*, a Man vers'd in the speculative and practick part of Sacriledge, doth in his *Book* concerning Sacriledge call'd *Two Replies*, and Printed Anno 1660, affirm that the Bishops, Deans, and Chapters Lands, were at the end of the late Civil War sold for two Million three hundred thousand pounds, and he saith, there was offer'd since his Majesties Restoration seven hundred thousand pounds more to confirm that Sale: whereby the value of the said Land is made to be in the year 1660, 3 Millions.

And

And Mr. *Prynne* in his Printed *Speech* in the House of Commons on Monday the 4th of December 1648. touching the *satisfactoriness* of the Kings Answers to the Propositions of both Houses, doth in Page 68 there affirm, That near one half of the Arch-Bishops and Bishops Possessions and Revenues consists in Improvements, Tithes, Pensions, and the like; and if we may suppose the like as to the Revenues of the Deans and Chapters, then according to that Estimate will the value of the whole Revenue of the Hierarchy of our Church be about 6 Millions, the twentieth part whereof, viz. at twenty years Purchase is 300, 000 *l. per Annum*, and the 12th part of the same, viz. at 12 years purchase is 500, 000 *l. per Annum*, so that what at the time of the Reformation was worth but 66000 *l. per Annum*, was in the Year 1660 worth between 300, and 500000 *l.* as aforesaid.

In the next place I shall prove the Remainder of my Position that the Revenue of the whole Nation is about *Quintupled* also; for that the Revenue of the demolished Monasteries was, as my Lord Herbert in his *Harry* the 8th, makes it 1 hundred 61 thousand pound per Annum, and the Revenue of the whole Church about Triple to that Sum, viz. About 450000 *l. per Annum*, and the Revenue of the whole Nation between triple and quadruple to the Revenue of the Church, viz. one Million 6 Hundred Thousand Pound per Annum: but careful Calculators in these times have computed the same to be about 8 Millions per Annum, which is quintuple to the said 1 Million 6 Hundred Thousand Pound above mentioned.

And as to the proportion of the Trade and Traffick of England encreasing since the Reformation, little more need be added to what I have before discoursed then that the Customes, which when Queen Elizabeth came to the Crown, made but 36000 *l. per Annum*, were since 1660, farm'd at 4 hundred thousand Pound per Annum, and have since that time made about double that Sum. And because She foresaw that that Branch of the Revenue would both support the Crown and the Walls of the Kingdom, I mean its Ships and Sea-men, she wisely provided for the encrease of the Customs and Navigation in her own and future times by the Planting of Virginia, and was the Foundress of our Trade in the American Plantations, that is at this day so beneficial to the King and Kingdom, and where no Forraigners can Trade without his Majesties leave (and therefore the Freight both outwards and homewards is restrain'd to our own Shipping) and where the Scene of entercourse is agreeable to the Genius of so many of our Protestant Traders of England, and not troubling them with the sight of the Religion, or with the Study of the Language of Popish Countries. And as in any great important undertakings, the first projectors or undertakers do usually but lay the Foundation of Gain for the next comers, thus too did providence order it to be in the Case of the Spanish Acquests of America, which were so fatal to the diminution of the strength of Spain, and fortunate to the encrease of that of England.

And it was by the means of the advancement of the Protestant Religion that she was so prosperous in her mighty Attempts of advancing Trade and Navigation. 'Tis notorious how by making her Realm an *Asylum* to Forraign oppressed Protestants, She enriched it with the Manufactures they introduced, in her great Towns and Cities, and where the value of House-Rent being by that means raised, the Manufacturers were enforced to work harder, and the encreasing of their corporal hard labour did tend to the encrease of their Generations and Populacy as it did among the *Israelites* in Egypt, and it had a greater tending to that effect, in regard that our People in their Towns were their own Task-masters, and could console themselves with the thoughts not of going but being gone out

of *Egypt*, and they were rendered the more industrious by the knowing that they were secure from having the fruit of their labours swept away from themselves and their Children by Arbitrary Confessors and Priests, a thing that was practised by those who formerly made *England* in effect but a *Province to Rome*, and when more Money was exported hence by Appeals and Applications to the *Court of Rome* then is here imported from *Ireland*, and when as in *Turky* men are discouraged from enriching themselves thorough industry and improvement by the *Grand Signiors* being the general Heir, our Fore-fathers too were by the Popes being so much here in the same capacity. In fine, the value of the Benefices of the Divines in those great Towns, being partly encreas'd by the growing Numbers of the People and their riches, and partly by their liberal contributions did invite thither such men of Learning to the Pastorage of Souls, as did by their fame invite more inhabitants, and did keep up those Towns by the Cement of Religion in such a state, that they were Seminaries of Knowledge to the Adjacent Countries, and even Magazines of War for the Princes occasions, as well as Store-houses of Manufacture to be exported: and for this purpose Arch-Bishop *Grindal* in his Letter to Queen *Elizabeth*, *Anno Domini* 1580, Printed in *Fullers Church History* speaking of able Ministers, being placed in all Parishes, and of the benefit thereof redounding to Princes by their Subjects obedience to them, saith, *No Prince ever had more lively experience hereof, then your Majesty hath had in your time, and may have daily: and if your Majesty comes to the City of London never so often, what gratulation, what joy, what concourse of people is there to be seen: yea, what Acclamations and Prayers to God for your long Life and other manifest significations are there to be heard of inward and unfeigned love with most humble and hearty obedience: whereof cometh this, Madam, but of the continual Preaching of Gods word in that City, whereby the people hath been plentifully instructed in their Duty toward God and your Majesty: On the contrary, what bred the Rebellion in the North? was it not Papistry and Ignorance of Gods word through want of often Preaching in the time of the Rebellion? Were not all Men of all States that make profession of the Gospel most ready to offer their lives for your defence, insomuch that one Parish of Yorkshire which by continual Preaching hath been better instructed then the rest, Halifax I mean, was ready to bring 3 or 4000 able Men into the Field to serve you against the said Rebels, &c.*

As I before observed, That the Reformation brought us at the first step, out of a blind Chaos into a Paradise of knowledge, so I may add that at the next it conducted us to that blessing of Paradise, *Be fruitful and multiply, and replenish the Earth, and subdue it, and have dominion over the Fish of the Sea.* No sooner had the Reformation under that Great Queen cleared the heads of her Subjects, but it enlarged their hearts, and substituted in Men a new brave and generous spirit, in lieu of that dull and formal and lethargic one that possessed them under the Captivity of their blind Guides, and they accounted their *All* and even the Worlds, too little for their Prince, and they made her Exchequer as spacious as her Kingdom, and the *English* Commerce as wide as the World. Navigation and Navigators were her Favourites, and her great Statesman *Walsingham* by her Command animated *Frobisher* to attempt the discovery of a nearer passage to *Cathay* and *China*, without going so far about as by the *Cape of good hope*, and he gave not over that design till after three Voyages, and the death of *Walsingham*: and the success of her Politics and of the Reformation, have in despite of all the power of *Rome* and *Spain* terminated in such a multiplying of the Subjects of the Realm of *England*, as probably renders them more numerous then the people of the Kingdom of *Spain*, which

which *Heylin* in his *Geography* makes to have only Eight *Millions* of Souls.

But there scarce needs any other *Medium* whereby to evince that the Progress of the *Reformation* hath vastly encreased the value of our Land and proportion of our Commerce, then that it hath so vastly encreased the number of our People, a *Fact* that I have already proved, and have shewn what *Depopulators* or dispeoplers of the Kingdom the Monks were, and have made some Calculations of the numbers of the Religious Persons living in *Celibate*, and the effects thereof in restraining formerly the growth of the Numbers of the People: but do find that I was extremely short in assigning the number of those whom Popery made to live in *Celibate* to be but 120000. I was glad to gain a rise for somewhat like an Estimate of the numbers of all the Religious persons in Monasteries by finding it in *Weavers* Monuments that the Religious Persons put out of the Religious Houses, under the yearly value of 200*l.* were above 10000: and that therein *Weaver* agrees with *Sanders de Schismate*, &c. but I made no Estimate of the numbers of *Friers* Mendicant the which were very great, and I was too short on the accounting that there were perhaps no more Secular Priests then Benefices in *England*: for tho' the Rule of the *Canon Law* allows not Orders to be given to Men without a Title, yet it admits an exception in the Case of Men who can live on their own patrimony, and it still took the Title to be a Curate as current Coyn for one to a living: and moreover the livelihoods that many unbeneficed Secular Priests acquired by saying particular Masses, did pass for *Titles*, and thus in *France* it being conceived that the Secular Priests unbeneficed are about 6 times as many as the beneficiaries, we may thence guess what the proportions of their numbers were in *England*.

But yet further to discourse of the growth of the numbers of the people of *England* before and since the *Reformation*, I shall acquaint your Lordship that you may easily find among the Records of the *Exchequer*, what the number of the people of *England* was in the Year 1522, when *Harry* the 8th (as I cited it out of my Lord *Herberts* History p. 121,) Caused Warrants to be Issued out, Commanding the Certificates of the number of all above 16 years old to be returned, and by an Index or Repertory of the Matters of State in the *Exchequer* that I have, I can readily direct the finding it out there: and moreover by the accounts of the *Pole Acts* in former times, a considerable indication of the numbers of the people in those days may be had.

And if we may guess at the encrease of the people of *England* from that of *London*, I can easily satisfy any person about the prodigious growth of that City in numbers of people, and consequently in wealth since the abandoning of the Papacy.

I have by me an account of the proportions of the Shires of *England* & City of *London*, in a Tax of 50000 *l.* long since in *Edward* the 3ds time, and in which *Surry* bore the same proportion with *London*, and in which *London* and *Surry* and *Middlesex* paid but about 1500 *l.* which was but about a 16th part.

And in *Harry* the 8ths time, it hapned that Cardinal *Pool* excited divers Princes of Christendom to invade *England*, & a fit man he was who had been then a Traytor to come here and absolve Hereticks: but *Hollingshed* in his *Chronicle* of *Harry* the 8th, p. 947 tells us, That the King having heard of the Treasonable practices of the Cardinal, did Anno 1539, make a Survey of his Naval Strength, and did ride to the Sea-Coasts: and that Sir William Foreman Knight, then Major of *London*, was commanded to certify the names of all the Men within the City and liberties thereof, between the age of 16 and 60, whereupon the said Mayor and his Brethren each one in his Ward, by the Oath of the Common-Council and Constable, took the number of Men, Arms, and Weapons:

Weapons : and after well considering of the matter by view of their Books, they thought it not expedient to admit the whole number certified for apt and able men ; and therefore assembling themselves again, they chose forth the most able persons and put by the residue, especially such as had no Armour. But when they were credibly advertised by Thomas Cromwel Lord Privy-Seal (to whom the City was greatly beholden) that the King himself would see the People of the City Muster in a convenient number, and not to set forth all their power, but to leave some at home to keep the City, &c. then he saith, the number beside the Whifflers and other Waiters was 15000.

But the *Observer* on the *Bills of Mortality*, hath in his last *Observations* on that Subject told us, *That there are in London about 6 hundred and 70000 Souls: and tho I know that some Parishes are included within the Bills of Mortality for the said City that formerly were not, yet the said Observer having told us that there are in London more Males then Females, and it being true that there are as many above the Age of sixteen as are under it, and that the Sexagenarii are but a 6th part of Mankind, and the Quota of the numbers resulting from the Parishes added, being likewise shewn us by that Observer, let any one judge how vast the number of able Men certifiable between 16 and 60, is grown to be since that year of Harry the 8th before mentioned.*

It must be acknowledged that the thanks of the Age are due to the *Observer* on the *Bills of Mortality*, for those solid and rational Calculations he hath brought to light, relating to the numbers of our people : but such is the modesty of that excellent Author, that I have often heard him wish that a thing of so great publick importance to be certainly known, might be so by an actual numbring of them, and the truth is, it is much to be pittied that by the care of Magistrates, an exact number of the people as well of *London*, as of all other places in the Realm, hath not with diligence been made and preserved, the knowledge whereof is the *Substratum* of all political measures that can be taken as to a Nations strength or riches, and the part thereof that is *spareable* for Colonies, and the value of the branches of the publick Revenue, and the equality in proportioning any Taxes or Levies by Act of Parliament, and the satisfying the World about the value of our Alliances, a thing one would think somewhat necessary when 'tis published in Print that a Forraign Minister, who hath spent much time here and is deservedly famous for being a Critical Judge in the Politicks, and in many sorts of Learning, *makes the people of England to be but two Millions*, and when a late famous French Author of *la Politique Francoise*, who sets up with his Goose-quill to be a Governor of the World, reproacheth us after his manner with the fewness of our people, and saith, *How insolent soever the English are, they must confess that all the Brittish Islands laid together, do not equal the half of our Continent, either in extent, &c. or number of Men, in Wealth, in Valour, Industry and Understanding.*

Mr. James Howel in his *Londinopolis* Printed Anno 1657 saith, *That in the Year 1636, King Charles sending to the Lord Major of London to make a Scrutiny of what Roman Catholicks there were in London, he took occasion thereby to make a Cense of all the people, and that there were of Men, Women, and Children, above 7 hundred thousand that lived within the Barrs of his Jurisdiction alone : and this being 21 years ago, 'tis thought by all probable computation that London hath more now by a third part then it had then.*

In his *Parallel of London* there with other great Cities in the World, he observes that the weekly *Bills of Mortality* in *Amsterdam*, come but to about 60 a week, whence saith he, *It may be inferr'd that London is about 5 times as populous, more dying in a week commonly in London then 300.*

And

And as to the quantity of the people in *London*, there is no doubt to be made but that if in the year 1636, there lived 700,000 *within the Barrs of the Lord Majors Jurisdiction*, there lived then so many more in the other Parishes within the Bills of Mortality, and that there live in this year within the Bills of Mortality, more then double the number that did in the year 1636; and at that Rate their number would now amount to near two Millions.

But I am to suspect that there was no such return of any *Cense* of the people *within the Barrs of the Lords Majors Jurisdiction* in the year 1636 as is before mentioned, and do suppose that Mr. *Howel* did in that point mistake, partly for that I think him mistaken in his Allegation before as to the people of *Paris* being returned as above a Million of Souls at the last *Cense* made there, and do as to their number give more credit to the *Bishop of Rhodes*, who in his History of *Harry the 4th*, written since the year 1660, saith in part 2d, *That there were in Paris when 'twas block'd up only 200000 persons, and that there were then retired thence 100000 of the Inhabitants, so that in those times there were no more then 300,000 Souls in Paris, whereas 'tis now believed there are twice as many*, and partly because I find it mentioned by the curious *Observer* on the Bills of Mortality, p. 113, and 114. That Anno 1631, Ann. 7. *Caroli 1. The number of Men, Women and Children in the several Wards of London, and Liberties, taken in August, 1631. by special Command of the Lords of his Majesties Privy-Council, came in all but to 130178*, and finally because the said curious *Observer* (for that name I give that Author after my Lord Chief Justice *Hales* hath given or adjudged it to him in his *Origination of Mankind*) having by rational Calculations proved, that their dyes within the Bills of Mortality a *thirtieth* part or one in thirty yearly, and that there dyes ordinarily there 22000 per Annum, that if there were there according to *Howel* a Million and an half of people, it would follow that there must dye but 1 out of 70 per Annum, and that they must live one with another 70 years.

There is an ingenious Author and that is the Author of the present State of *England*, who tells us in his 2d part, *That in 1588, there went forth from the Queen Commissions to Muster in all parts of England, all Men that were of perfect Sence and Limbs from the Age of 16 to 60, except Noblemen, Clergy-men, University, Students, Lawyers, Officers, and such as had any publick charges, leaving only in every Parish so many Husbandmen as were sufficient to Till the Ground. In all those Musters there were then numbred three Millions: but of those fit for War about 600,000.*

I would scarce desire better Evidence for an Opinion that the people of *England* were in all 12 Millions, then that 3 Millions of Males between 16 and 60 were then returned; for the said *Observer* having by Calculation assured us, that there are about as many Females as Males, and about as many people under the Age of 16 as are above it, the said opinion would stand firm and unshaken.

There is too another Author who much enlargeth the number of the people of *England*, and that is *Gerard Matynes* in his *Lex Mercatoria* first Printed in the year 1622, and there in Cap. 46. he makes them to be 16 Millions and 800,000: but any one will hardly take his word for it, who considers that he there makes the people of *Scotland* to be 9 Millions, who are but about one Million and reckons 5500 Parishes in *Ireland*; where there were never more then 2 thousand 2 hundred Parishes.

But 'tis the fate of Nations to have their numbers sometimes inconsiderately Assigned by considerable Authors, and thus it happened particularly to *France* from an error of *Campanella* who in his discourse of the *Spanish Monarchy*,

by, C. 24. saith that *France hath in it 27000 Parishes, and 100 and 50 Millions of Souls.*

At this rate there would be in the Parishes in *France* one with another 5555 Souls, whereas Sir *W. P.* in a Manuscript discourse of his, saith, *That a substantial Author in his Treatise concerning France, sets it down as an extraordinary Case if a Parish in France hath in it 600 Souls.*

We have too an Author of great Vogue for the Politicks, Sir *Robert Cotton* who in his *Abstract of the Records of the Tower, touching the Kings Revenue* hath these words, viz. *That London (which is not the 24th part in people of the Kingdom) had in it found above 800,000, by a late enquiry by the Order of the late Queen, meaning Queen Elizabeth.*

But so far have we been from enabling our Political Writers to satisfy themselves in the Numbers of our People, that we have not done it yet as to the very Numbers of Parishes, wherein *Blunt* tells us in his *Law Lexicon* that our Authors differ; and we generally reckon them as they were before many new ones have been built.

peculiars

One late writer has accounted the Parishes in *England* and *Wales* to be 10260: and Mr. *Adams* says in his *Villare Anglicum* p. 408. *That he is of opinion that there are about 1500 Parishes in England and Wales not valued in the Kings Books, and of which he can get no account so as to make the same perfect, and 'twill be difficult for him to do it, unless the several persons concern'd in the particulars give an account of it.*

Cambden in his *Britannia* Printed Anno 1607, when he reckons the Parish Churches in the Bishoprick of *Durham* and in *Northumberland* to be 118, adds *præter sacella plurima*: and saith in *Torkshire*, *Parishes besides Chappels, and Parishes to which many Chappels are subject that are equal to great Parishes, &c.*

Moreover the Grants from the Crown of *Extraparochial* Titles in several Counties, may serve for an indication of great numbers of people that are not Inhabitant in Parishes, and so likewise may the Multitudes of those people who live in *Forrests*, and which places are generally accounted by the Law to be *Extraparochial*.

The Number of Parsonages and Vicarages in *Edward* the 1sts valuation, whereof there is a Manuscript Copy in the *Bodleian Library* was about 8900, and into that number the Chappels are not accounted; but of the Chappels many since have grown up into Parsonages: and this would likewise induce one to think the number of our Parishes at this time to be greater than the common Estimate, especially when according to the Kings Books which respect the valuation in *Harry* the 8ths time, the number of them is considerably above 9000.

But what may seem more strange is that some men of Thought and Learning have attempted even by Calculation, to prove that the people of *England* have for a very long space of time decreased in their numbers, and particularly the Author of a Book in Quarto called, *An account of the French Usurpation on the Trade of England, and the great damage the English yearly sustain by their Commerce*, Printed in the Year 1679, and Writ with excellence of Calculation in some parts thereof: and yet that Author doth p. 16 say, *And I can easily believe that 1000 years since, this Nation had a much greater stock of people then now it hath, for the Rome-Scot, or Peter-pence which was but one Penny a Chimney (granted by Offa and Ina Saxon Kings to the Pope) did amount to 50000 yearly: and the Hearth-money, which is two Shillings the Hearth (and one Stack of Chimneys may have many Hearths) doth not amount to 300,000 l. yearly; whereas if the number of Chimneys charged with the Rome-Scot had been two Shillings a Chimney, it would have*
amounted

amounted to 1,200,000 l. yearly. So that we may conclude there were then more Buildings and Chimneys, and so by consequence more people.

But had that Author considered that the *Romescot* or *denarius sancti Petri* was only an annual Penny from every Family or Household, and that it amounted to 300 Marks and a Noble yearly, as *Blunt* says, by that reckoning it would have appeared that there were not then in all England 50000 Families liable to that Duty, whereas there are now above a Million of such Families: so that now the people and Families of England are twenty times as many as they were then, which agrees pretty well with my Lord Chief Justice *Hales's* reckoning.

That great person in his *Primitive Origination of Mankind*, yields that the people of England are at least 6 Millions, and doth too in Page 205, say, That he doth not know any thing rendred clearer to the view, then the gradual encrease of Mankind by the curious and strict Observations on the Bills of Mortality: and doth very elaborately make a comparison between the numbers of the people in Gloucestershire, and particularly some great Towns and Burroughs there, as *Thornbury* and *Tedbury* as they were at the time of the making up of *Domesday Book* and as they now are, and shews, That there are very many more Villis and Hamlets now then there were then, and few Villages or Towns or Parishes then which continue not to this day, and that the number of Inhabitants now is above 20 times more through the general extent of the County then at that time: and afterward saith, if we should institute a later Comparison, viz. between the present time and the beginning of Queen Elizabeth, which is not above 112 years since, and compare the number of Trained Soldiers then and now, the number of Subsidy men then and now, they will easily give us an account of a very great encrease and multiplication of people within this Kingdom even to admiration.

It would be no difficult thing to fortifie the observation of the great gradual encrease of the people, and particularly of those in the Parishes of Gloucestershire, by the shewing the encrease of their worth and riches in the several publick Valuations, and their present real value, from whence their growth in the numbers of their Inhabitants may be well inferr'd; as for example in *Edward* the 1^{sts} Valuation, *Tedbury* is valued, *Ecclesia de Tedbury* 36. m. i. e. Marks, and in *Harry* the 8^{ths} Valuation, is valued at 36 l. 13 s. 2 d. and is now worth about 100 l. per Annum. *Thornbury* in *Edward* the 1^{sts} valuation is valued at 47 Marks and a half, and in *Harry* the 8^{ths} to 32 l. 14 s. 8 d. and is now worth about 120 l. per Annum. *Berkley* in *Edward* the 1^{sts} Valuation comes to 36 Marks and a half, and in *Harry* the 8^{ths} to 32 l. 14 s. 8 d. and is now worth about 100 l. per Annum.

I have instanced in these places, as referred to by *Hales*, and shall here as to *Gloster* only further observe, that there are more places in the *Decanatus Glocestriae* in *Harry* the 8^{ths} valuation, then were in *Edward* the 1^{sts}: as for instance, *Edward* the 1^{sts} Valuation doth in the rural Deanry of Gloucester comprize 6 Churches and a Chappel, but *Harry* the 8th doth in the Deanery contain above 20 Churches and a Chappel.

I shall here corroborate his Lordships remark of the encrease of Families in another Town in Gloucestershire, which he calls *Dursilege*, and which is in *Edward* the 1^{sts} Valuation called *Dursly*, and valued as a rectory there at 10 Marks per Annum, and in *Harry* the 8^{ths} as a Rectory at 10 l. 14 s. 3 d. and is now let for 72 l. yearly.

I have observ'd a suitable difference between the former valuations of other Livings in that County and their present real values.

His Lordship having before justly acknowledged that it was a laborious piece of work to make a Calculation of the number of Inhabitants at

at this day throughout England; did however in a way very worthy of his great judgment adapt his Estimate to the extent of one entire County; for had he gone less, and restrained it to this or that Parish, the gradual encrease of the People there, might have fallen short by particular accidents; and to this purpose we have it in Mr. *Bentham's Christian Conflict*, p. 322. that 11 Mannors in Northamptonshire have been enclosed with depopulation, and have vomited out their former desolate owners and their posterity.

Many ingenious persons have applyed their thoughts to several ways of Calculation whereby to discover the total of the number of the People in England, and in the Investigation thereof some concern'd in the management of the *Hearth-money* have reckon'd that in England and Wales the number of Hearths of rich and poor is 2 Millions and 6 hundred thousand, and that at a Medium there are between 4 and 5 persons to a *Hearth*, and accounting but 4 persons to a *Hearth*, they suppose that at that rate the people of England and Wales will appear to be 10 Millions.

The slowness of believing great things which is incident to Humane Nature, and my inclination to desire that any thing may be proved to me by ocular Demonstration, where the Subject Matter will bear it, do make me as to any of the greater forementioned Quotas of the People of England contended for by Calculators, to reserve my Judgment till some such accurate Survey hath been made thereof, as I have heard Sir W. P. that Mathematical States-man wish for.

But this I will venture to affirm, that by what may be observed out of the Returns on the late *Pole-Bills*, and the *Bishops Survey*, 'tis very highly probable that the Total of the number of the people here will upon any actual view hereafter to be made by publick Authority, appear very considerably greater then any cautious Calculators have made it.

Another account of the same great Quæsitum was sent me into the Country from a Gentleman of London, who acquainted me that he received the same from a very knowing and ingenious person whom the late Lord Treasurer, as great a Master of the Science of Numbers as perhaps ever any that Acted in that high Sphere of State, employed to effect an Impartial Return of the number of the people in London and in Middlesex, and every other County both in England and Wales, and the Total resulting from them was as I cast up the same 8,272,062. But I judge that this account was not taken upon ocular View of the several Counties, but by way of Estimate not absolutely perfect, and by Calculation or comparing several former accounts together.

There is no doubt but the most satisfactory way that we can at present take for our Estimates, and whereby we may Trace the Numbers of the people from somewhat that looks like matter of Record is, as I hinted, from the Returns on the *Pole Bill* and the *Bishops Survey*.

And as to the *Poll-money* of Anno 1666, 2 hundred thirty seven thousand Pound was the gross Charge: and if on the consideration of Counties whereof the Charge was not returned, as Buckinghamshire, Durham, Northumberland, Kent, Oxon, North Wales, Brecon, Radnor, Glamorgan, Pembroke, (of which the proportions in numbers with the Counties return'd are not hard to be Calculated) and of the omissions perhaps through partiality whereby great numbers of persons chargeable were not returned, and withal on a supposal that there had been in the Act no qualifications and exceptions of many persons from being Charged, and particularly of persons under the Age of Sixteen, and of Paupers, &c. we may further venture to make the Total chargeable to be 600,000 l. and every one paying for his Head, there would then appear 20 times as many people, i. e. 12 Millions.

I know that out of such a Sum as 600,000 *l.* supposed chargeable, it will be obvious to consideration that what was paid by the *Nobility* and by *Titlers* and *Officers* must be subtracted: but when it shall be likewise considered that in that *Poll-money* that of the *Peers* paid into the Receipt, came to but 5693 *l.* 6s. 8 *d.* and that perhaps as much went beside the Nett of the Receipt under the notion of imaginary *Paupers*, and by persons not return'd, as came into it from the *Officers* and *Titlers*, and that the persons excepted under the Age of 16 were about a Moiety of the people, the supposition of 600,000 *l.* chargeable by way of *Capitation* will not seem so strange as at the first view.

The great difficulty of having the Total of the people chargeable by any *Poll-Bill* exactly and impartially return'd, appears in the Case of a *Poll-Tax* in *Holland*.

The Author of the *Interest of Holland* mentions that Anno 1622, The Tax of *Poll-money* was laid on all the Inhabitants of *Holland*, and none excepted but Prisoners and Vagrants, and those that were on the other side the Line, and all strangers, and that then there were found in South *Holland* no more then 481934 Souls, though yet the Commissioners instructions were strict for the making true returns, and the particular returns are thus Registered in the Chamber of Accounts, viz.

Dort with the Villages, 40523.
 Harlem with the Villages, 69648.
 Delft with the Villages, 41744.
 Leyden and Rynland, 94285.
 Amsterdam and the Villages, 115022.
 Goud with the Villages, 24662.
 Rotterdam with the Villages, 28339.
 Gornichem with the Villages, 7585.
 Schiedam with the Villages, 10393.
 Schoonhoven with the Villages, 10703.
 Briel with the Villages, 20156.
 The Hague, 17430.
 Heusden, 1444.
 In all 481934.

And supposing that West *Friesland* may yield the 4th part of the Inhabitants of South *Holland*, it would amount to 120483.

In all 602417.

The Author there delivers his opinion, That many evaded the being return'd on that *Poll*, and that the number return'd was very short and defective, but adheres to the account of them being now as is before mentioned, viz. 2 Millions 4 hundred thousand.

And this as it doth in some measure fortifie my foregoing notion of the prodigious growth of the people of *Holland* under the Reformation, so it doth likewise afford an instance of the partiality used in the returns of the numbers chargeable in *Poll-Money*.

But that which doth chiefly induce me to believe the Total of our numbers may very much exceed the sentiments of Cautious *Calculators* in this point, is the Result of the *Bishops* Survey, which was made for the Province of *Canterbury*, and wherein none under the age of Communicants or 16 were return'd, and but very few Servants, or Sons, and Daughters, or Lodgers, or Inmates of the people of several perswasions of Religion: and the

thing endeavour'd was that the heads of Families or House-Keepers, *i. e.* Man and Wife might be truly return'd; and at that rate, the *Total* at the foot of the account for the Province of *Canterbury* is 2,228,386, the which according to the forementioned currant Rule of *Calculation* to be necessarily about doubled on the account of the people under 16, makes the *Total* of the *Souls* in that Province to be 4 Millions, 4 Hundred 56 thousand, 7 hundred seventy two; and the Province of *Tork* bearing a sixth part of the *Taxes*, and having therefore the 6th. part of the people that the Province of *Canterbury* hath, which is 742,795, that being added to those of *Canterbury*, makes 5 Millions, a hundred ninety nine thousand, five hundred sixty seven: and since 'tis apparent that not more persons were returned in that Survey then did really exist in Nature, and live within the Province as return'd, it will hereafter seem a very unnecessary thing and indeed absurd to question whether the people of *England* were not then at least 5,199,567.

But since it appears by the inspection of that Survey, that there was so vast a quantity of places that made no returns at all, some of which presently occur'd to my view in the Cursory reading and taking some few Notes thereof, and without my designing to make any Collection of all the places that made no returns, as for example, in the Arch-Deaconry of *Colchester*, 11 *Parishes* made no returns, and in the *Decanatus Tendring* twelve *Parishes*, in the *Decanatus Colcestre* seven *Parishes*, in the *Decanatus Lexden* ten *Parishes*, in *Decanatus Witham* eleven *Parishes*, in the Arch-Deaconry of *Middlesex* and *Decanatus Brangling* and *Harlow* fourteen *Parishes*, in the *Decanatus Dunmor* 7 *Parishes*, in the *Decanatus Henningam* 9 *Parishes*, in the *Decanatus of Middlesex* 16 *Parishes* (some of which were *St. Clements Danes*, *St. Mary le Bow*, *Uxbridge*) and in the Arch-Deaconry of *London* *St. Bartholomew Exchange*, are therein express'd to have made no returns; it may hence seem rational for any Man to suppose in general that the number of the People of *England* *reverâ* is very great beyond the said total of 5,199,567. and that it would have risen to a much greater number if exact returns had been made of all the heads of Families in *England* and *Wales*; and much more if all Persons in all Families above the Age of 16 had been return'd.

But yet according to the Returns that were *de facto* made in that Survey, I observ'd that in some, where the *totals* for Counties were cast up, that they doubled the *totals* of the People return'd for the same Counties, upon the Poll Act of 66. as for example, the Poll for *Devonshire* and *Cornwel* was fourteen thousand three hundred Pound; and the number return'd for those Counties by the *Bishops Survey* was two hundred and thirteen thousand, doubling which number for those under the Age of *Communicants* there, makes 426000 *Souls* there; so then the 14000 *l.* at 12 *d.* the Head makes there 280000 *Shillings*, or Persons at 12 *d.* a Head, to which as I shew'd the number in the *Bishops Survey* is double.

And further to shew the Omissions of great Numbers of People, returnable in that Survey, I shall acquaint your Lordship that in the year 1676. in the which the *Bishops Survey* was made, there dy'd within the *Bills of Mortality* 18730. and according to the rule of 1 in 30. there yearly dying, there will be suppos'd to have then liv'd there 533,170. and the total of the People return'd of all Persuasions of Religion above the Age of 16 in the whole *Diocefs* of *London* in the year 76. was 286,347. and the doubling of that number for those under the Age of 16 in that *Diocefs*, makes the total of the People there then to be 572,694. But here it is to be Considered that tho' the *Peculiars* of the Arch-Bishoprick of *Canterbury* in *London* were *de facto*

facto return'd then within the Survey of the *Diocess* of *London*, yet the great and populous *Parishes* in *Southwark* and others in *Surry* within the District of the *Bills of Mortality*, were not return'd with any respect to the *Diocess* of *London*, but were in that Survey by the *Bishop* of *Winton* return'd as belonging to his Lordships *Diocess*; and that in a late year of ordinary health, viz. in *Anno* 1677. there dyed in the *Parishes* in *Surry*, that are within the *Bills of Mortality* 2803. and therefore according to the Rule of the 30th. part then dying there, it is to be judged that there then lived there, 81287. and therefore we being to Substract that last mention'd Number out of the 533,170, then the number of all the Souls in the other Places in the *Bills of Mortality* will be 451,983. and so at that rate the number of all the Souls within the whole *Diocess* of *London*, will be but 120,711 more then those that were in the other Places within the *Bills of Mortality*, the which *Diocess* takes in all the other Places in *Middlesex* that are without the *Bills of Mortality*, and all *Essex*, and part of *Hartfordshire*. And to conclude this point, the omissions of Great Parts of the Numbers of the People, and particular of Sons, Daughters, Servants, being supposed to be in other places proportionable; I am hence induced to believe that on the occasion of any actual and exact Survey of the People of *England* to be made, their number will rise to a greater height then what it hath been advanced to by the most judicious Calculators.

And now if after all this, one should tell me that any vast encrease of the numbers of the People of *England* beyond the *quota* supposed by Cautious Calculators, is *incredible*, and to be added to the number of things *incredible*; I will answer him out of *Salust*, *Incredibile est memoratu, quantum adepta libertate, in brevi Romana Civitas creverit*; and will tell him, that 'tis almost incredible to relate how much we have gain'd by our abandoning *Popery* and its *Incredibility*, and the almost incredible as well as intolerable *Servitude*, that the *Papacy* so often oppressed both our Kings and People with.

We are told by the *Observer* on the *Bills of Mortality*, that anxiety of mind hinders Breeding, and from sharp anxieties of divers kinds hath the Protestant Religion rescued *English* minds, and from their former daily *yariness* for their daily Bread, and their fears of being Arbitrarily dispossess'd of it. What Princes (as I may say) are the *English* Infantry, and even the *Boors* of *Holland* to the *Peasants* of *France*, who with Chains on do propagate their *Species*, and *Servitude* it self? And what pity was it that *Commerce* which with its infant Smiles cheer'd our Isle in the Reign of *Edward* the 6th. was almost frighted away from it by the Frowns and Arbitrary Practices of *Queen Mary*; and that after that *Edward* the 6th. consulting the Advancement of our Trade had legally Suppressed the Corporation of Merchant-Strangers, and null'd their Monopoly; *Queen Mary* endeavour'd the Suppression of our Native Merchants, and that too by Illegal Impositions. It is not denyable that in the fourth year of her Reign she did lay an Impost upon our Cloth: and one who had been a Judge of the Realm, and who had no spight to her Story mentioning it in his Book call'd, *The Rights of the People Concerning Impositions*, saith there, *This Religious Prince Inviron'd with infinite Troubles in the Church and Commonwealth, and Impoverish'd by her Devotion in Renouncing the Profits of the Church Lands that were in the Crown, was the first that made Digression from the steps of her worthy Progenitors, in putting on that imposition without assent of Parliament*: And the same Author in pag. 91. mentions another unjust Imposition of hers on *Gascoyn* Wines.

And

And her expulsion of the *Dutch Church* and their Pastors from *London*, and her Canfelling of the Legal Priviledges that *Edward the 6th.* (for himself, his Heirs and Successors gave them, and other Strangers by his Letters Patents, was an Arbitrary blow given to the Trade of the Kingdom in general, and of that City in particulars; The Copy of her *Proclamation* for the Expelling them is Printed in *Fox*, in which they are stiled, a *Multitude of evil disposed Persons being Born out of her Highnesses Dominions in other sundry Nations, flying from the Obeysance of the Princes and Rulers, under whom they be Born, some for Heresie, some for Murther, Treason, Robbery;* and are there further represented as such, whose secret practices have not fail'd to stir her Highnesses Subjects to a Rebellion against God and her Grace, &c. But secret Traitors they were found by the Realm, and secret they were left by it. Two of them were *John a Lasco*, Uncle to the King of *Poland*, and *Peter Martyr*, that were thus sent out of the Realm with *Sanbenitos* on: and so far were our *Popish* Ancestors from Hospitality to Strangers, and thereby unawares entertaining Angels, that they made Devils of them, and as such used them: and to make amends to the multitude of Forraign Artists for the Gold they brought here, they had the Dirt of Shams thrown at them by a *Proclamation*.

And as if not only the Biting, but the very Barking of Mad Doggs had power to make others Mad, she grew so enraged by the Books of Heresie and Sedition, Printed in Forraign Parts and here Imported, that she Publish'd a *Proclamation* Printed likewise in *Fox*, wherein she Declared to all her Subjects that, *Whoever shall after the Proclaiming hereof be found to have any of the said Wicked and Seditious Books, or finding them do not forthwith Burn the same without shewing or reading the same, shall in that Case be Reputed and taken for a Rebel, and shall without delay be Executed for the Offence according to the order of Martial Law.*

But nothing can palliate the Arbitrariness of *Queen Mary's Proclamation*, for the Exercising of *Martial Law*, but that she thought her Reign a time of War, and perhaps not altogether Improperly; for that Hereticks have the Title of *Hostes* given them by *Popish* Masters of Ceremonies.

There was another reason that induced *Queen Mary* to use the Arbitrary Power, that her *Popish Predecessors* did not, and that is this: *The People of England in the days of Popery were like to the three Fools in Lipsius, that being ty'd together by a twine Thread, went Whining about the House, and consenting that they who would unty the Knots of it, should have what Money from them they pleas'd:* And thus were our Foolish Ancestors innodated with *Papal Censures*, and the Priests did but Arbitrarily ask and have their rewards to Absolve them. But that *Queen* finding that the Reformation begun had proved Physick to Cure those *Idiots* of their dull Stupidity, she therefore supposed that the Fools who before were held by the twine Thread, must then be bound to the good Behaviour with Chains.

In fine, by these three Important Acts of Arbitrary Power (the which presently occurred to my remembrance out of her Story, and without my troubling my self to rake for more) she gave the alarm to her Subjects newly after their Eyes had been opened, and their Hands unty'd by the Reign of *K. Edward*, that they were to expect no free Trading where there was no free Living, and to hear nothing but the dying Groans of Liberty and Religion. So very exact indeed is the Frame of our *English* Government, and of the Soveraignes Power and Peoples Liberty therein, that as in an *Arched Building*, if one Stone be removed from it, the whole is immediately endanger'd, and nothing could probably have saved it from ruin, but the Restoration of our Law as well as Gospel, by such a Reign as
Queen

Queen *Elizabeths*, who was so far from the exercise of Arbitrary Power on her good Subjects and Friends, that she did it not on the worst, nor on her Enemies.

One would have thought that after the many attempts against her Life, and after the forementioned threatening Letter of *Campians*, which notifies that the *Jesuits* had entred into a Covenant or Association to Kill Heretical Princes, &c. that she might have been provoked to have declared that Order by a Proclamation to be *Hostes*, a thing that she or any Protestant Crown'd Heads might do without Violating the Laws of Nations in reference to those Forraign Princes that were their Allies, and to whom any of that Order were Subjects: a thing not only Consonant to the *jus gentium*, but to our *Lex terræ* as it was resolv'd in *Cambden's Elizabeth*, by the Lord Chief Justice *Catelin*, who being ask'd, *Whither the Subjects of another Prince, Confederate with the Queen, might be held for the Queens Enemies?* Answer'd, *That they might, and that the Queen of England might make War with any Duke of France, and yet in the mean time hold Peace with the French King;* and a thing that if done, would have tended more to their Extermination out of this or any Country perhaps, then all other Laws against them, in regard that it would have more effectually bereav'd them of the benefit of Correspondence, Aids and Assistance from thence; all Subjects being every where by the Law rendred Traytors, who Correspond with, or give Aid and Assistance to declared Enemies.

Nor would the term of *Hostes* bestow'd on such be more then a Retaliation; and to this purpose *Mariana* makes the people authoriz'd to Proclaime a King upon occasion, to be a *Publick Enemy*: and so likewise *Lessius* even in his Book *de Justitiâ & jure*, saith, *That a Tyrant is to be declared an Enemy by the Common-welth*: and thus *Parsons* alias *Doleman* in his Book of the *Succession*, Part 2. Cap. 4. terms an Evil King an *Armed Enemy*.

The term I mention'd before of *inimicus homo* is certainly proper enough for those that sow such Tares in the World as the *Jesuites* do, and make not only *Lollards* of ordinary *Hereticks*, but as the Commenter on the Epitome of Confessions, otherwise the 7th. Book of *Decretals* tells us in Commendation of all the *Jesuits* in these words, *Tyrannos aggrediuntur, lolium ab agro Domini evellunt.*

I shall here observe how in the year 1596. the *Hollanders* and others of the *States of the United Provinces* did Publish an Edict, *That none of the Bloudy Sect of the Jesuits, or any that gives himself to Study at this time among the Professors of that Sect, whether he be Born in any of the Provinces that are Confederate, or be a Forraigner crept secretly into the same Province, should longer remain there then the time prescribed, under the pain of being accounted and kill'd for an Enemy.*

But that Magnanimous Queen did as much think it Inglorious for her to employ her Anger in such a Proclamation on such fry pedants, as I believe our potent Neighbouring Monarch, whose Name will look as great in all future Story, for mighty dilligence, and for exact prudence in the Conduct of his Affairs of State, as for the Success of his Arms, would to Honour with the Title of *Enemies* such little great talkers, who here in the *Coffee-Houses* Arraign his Political Measures.

And the truth is, as it is not worthy the Grandeur of Princes, who are Heavens Vice-gerents to squander away its thunder, in experiments on Shrubs and Mushrooms, or on flight grounds, to call any of flight mankind, and who are of no Name, by that dreadful one of *Enemies*, a name that the Impotent passion of Subjects makes them so familiarly vex one another with, and thereby shews them not such fit depositaries of Heavens

Artillary as Sovereigns are; so is it extremely unbecoming the Glorious height to which the Doctrine of the Cross hath exalted humane Nature, for men (as I may say) to descend from Heaven to Earth for Dirt, and to Hell for Fire-brands to throw at one another, and petulantly to call those *that were sometime Aliens and Enemies in their mind*, &c. always such after the Divine reconciliation, or even to manage the most lawful and just War, *Sine quadam benevolentia*, as St. *Austines* words are, or to think that they can justly assume the great Name first used at *Antioch*, and yet retain a Constant and Stated enmity against any Person whatsoever; For according to the Excellent saying of *Tertullian*, *Christianus nullius est hostis*.

But the *Bosome* of that wise Princess was no resting place for *Anger*, and all the *Popes* Thunder could not discompose her; and as in all Games they who in their play retain a Constant Equability of mind, are generally most Successful; so was she in the great Political Game she play'd, by being *Semper eadem*; and the *Papal Excommunications* seem'd to her as despicable, as the *Curses* of loosing Gamesters: and I doubt not but by her Prudent and just Administration of the Government of Church and State, she hath laid the Foundation of the *English* Nations being *Semper eadem* in the Royal Line, and of the Protestant Religions being so too, and that no *delen-dam fore* can Issue out against either; (humanly Speaking) and that any *Popish* Successor that can come here will find it his interest to use the Politicks of Queen *Mary*, as a Sea Mark to avoid, and Queen *Elizabeth's* as a Land Mark to go by; and it being clear accordingly as Sir *W. P.* in his Manuscript discourse called, *Verbum Sapienti*, demonstrates it, *Cap. 2. of the Value of the People*, that each Head of Man-kind is as certainly valuable as Land, that the many Strangers who have Transplanted themselves hither need never fear that they will be so undervalued as in the *Marian* days.

The Families of *French* Protestants that have lately come here have filled 800. of the Empty New Built Houses of *London*, and have given us too an occasion of *entertaining Angels* in those untenanted Houses whose Ruinous appearance before made them seem to the vulgar such as they call *haunted*; but from which no Prince can ever think of exorcising the inhabitants without Conjuring away his own Revenue, of which about one moiety depends on that City, and where the Rents, tho fallen as I say, would yet have been much lower but for the Tenancy of these Forreigners, and the expectation of others.

There is a very great President in our *English* Story, and that is of a Prince of the *Popish* perswasion, and yet one who was a sharp persecuter of the Extravagances of the Power of the *Pope* and his Clergy, and one who by the Introducing of Forreigners here to Manufacture our Wooll saved the Life or Being of the Nations Trade, which his Predecessors had left in a Gasping Condition, and one who by his Patronizing of *Wiclif* sufficiently shew'd that if those Forreigners had been *Wiclifists*, he would yet have been a *Fauctor* of those Hereticks, and one who more disoblig'd the *Pope* by seizing on the Lands of the *Alien* Orthodox Clerical Idlers, then he could have done by the entertainment of many Heterodox lay *Alien* Manufacturers. 'Tis needless to say that I here mean our great *Edward the third*, of whom and of Queen *Elizabeth*, the prudence was as memorable, as of any Princes that ever Sate on the *English* Throne; And I will never despaire of any Heroick Prince here, of the *Roman Catholick* perswasion, with his Scepter upholding the trade of the Kingdom, as those two great *Names* did, and that too by the same methods, if ever he shall come to find it in the tottering Condition that they did; and it may be well supposed that the experience the Kingdom hath since gained under King *James* and the

the *Royal Martyr*, and His Present *Majesty*, of the publick benefit that hath arisen from the reception of Forraign Artists, who have been *Heterodox* in some ritual points about our Religion, will make their expulsion seem a Solecisme: And every Sagacious Person will (I believe) accord with me that the *Spider* hath done much more good to humane kind by furnishing it with the Invention of *Weaving*, then harm by any thing of Poyson.

I shall be glad to know from your Lordship, whether on your search among the *Records* of State, either in the *Exchequer* or *Paper-Office*, you can find Foot-steps of any thing like those returns of the Numbers of the People in *London* mentioned out of *Howel* and *Cotton*.

I am sure that the knowledge of the Numbers of our People ought by Statesmen to be accounted their *τάγμα*, and in this conjuncture, as the *opus diei*, and to pass no longer for a *πρόσπορον*, and that those of them who take their measures either of the publick Strength or Revenue without respect to this, are but *State-Enthusiasts*, and such who in their reckonings do according to our Common Phrase *reckon without their Host*, and do not govern their Politicks by the Arithmetick the *Scripture* suggests, in the question of *What King goeth to make War against another King, sitteth not down first and Consulteth whether he be able with ten thousand to meet him that cometh against him with twenty thousand?*

Bodin in his *de Republicâ*, speaking of the Numbering of the People, saith, *That the benefit that redounds to the Publick thereby is infinite: and that thereby Princes and States know what Souldiers they may have, and what Numbers they may send abroad to Collonys.*

I have been informed by a Person belonging to the Custom-house, that near 10000. Persons have had their Names entred as gone out of the Ports of *London* and *Bristol*, for our Plantations in a years time: And no doubt but the Number was great that then went away thither from other Ports, and likewise of such that went from *London* and the out-Ports, whose Names were not entred. But I was not a little surpris'd of late, when I read it in a Book newly Printed, called, *The Negros and Indians Advocate*, and Dedicated to the *Lord Arch-Bishop of Canterbury*, where the Author pag. 171. Speaking of the *Kidnappers* trade or mystery, saith, *A Trade, that tis thought Carrys off and Consumes not so little as 10000. out of this Kingdome yearly, which might have been a Defence to their Mother Country, &c.*

'Tis certainly a sign that we are very rich in the number of our People, when we can endure such a quantity of them to be yearly stolen, without the pursuit of a Hue and Cry.

Yet in this point *Scotland* is reported to be somewhat more unhappy then *England*, for those who go hence for our Plantations do Contribute some way to the Trade of the Kingdom, and many of them return hither again; But Mr. *Roger Coke* in his Book called, *Englands Improvements*, pag. 21. saith, *Its believed above 12000. of the Kings Scottish Subjects yearly go out of Scotland into Poland, Sweden, Germany, France, Holland, and other places, and never after return into Scotland: And that Author having before in the same page mentioned, That 5 l. given with an Apprentice to be instructed in the Woollen or any Manufacture, by which means he afterward earns 30 l. per annum, this in 20. years becomes 600 l. &c. which is more valuable to the Nation then if 600 l. had been given it, and the People not employed: Thereupon he alterward Computes, That the benefit which might accrue to the Nation by employing so many thousands of the Scottish Subjects there might in 20. years time be above 6 Millions.* And according to the opinion of that Worthy Gentleman, we may further be inclined to think the Number of the Scots removing into Forraign parts to be very great,

great, when we find among Sir John Denhams Poems, one with this Inscription or Title, *On my Lord Crofts, and my Journey into Poland, from whence we brought 10000 l. for his Majesty, by the Decimation of his Scottish Subjects there.*

But moreover the satisfying the Inquisitive genius of our People, concerning the greatness of their Numbers, may be of some importance to them and the publick quiet, in satisfying them of the *Vanity* of the former Modell-ers of a *Republick* here, a form of Government tho easily supposed Practicable in large Cities, yet not so in great and populous Nations; and likewise of the *Vanity* of all fears of a *Universal Monarchy*, bridling the world again, a thing which though it was of old feasible, when Mankind made not so mighty a Mass, is now far from being so.

'Twas easie to imagine it possible, and indeed to effect it in the days when *Aristotle* taught men, that no City ought to have above 10000. Citizens; and when, however the Number of Citizens was grown at *Athens* to 20000. and when in the *Roman Empire* the number of the Citizens was not so vast as is by many imagined; and so accordingly the Excellent Discourser *de Magnitudine Romanâ Lipsius*, lib. 1. cap. 7. then Speaking of the *Multitudo Romanorum* under *Augustus*, saith, *Ipse de se in Lapide Ancyranò clare hoc dicit. In consulatu suo Sexto lustrum condidisse: quo lustro Censita sunt Civium Romanorum Capita quadragens Centum millia & Sexaginta tria, i. e. four Millions and a hundred thousand: And Lipsius* afterward mentioning, that the Number of the *Romans* encreased under *Claudius* cites *Tacitus* for making it then *Sexages novies centena Sexaginta quatuor Millia*, i. e. about seven Millions.

There is no doubt but the People of the Provinces did vastly exceed that Number; but since according to the estimate of *Bodin* in his *de Rep.* 'tis probable that the *Roman Empire*, when at its greatest extent in *Trajan's* time, scarce contain'd the thirtieth part of the World, and that the prolific North stiled generally by Authors *officina & vagina gentium* by the encrease of its populacy, so humbled the *Roman Sword*, that within about 154. years afterward some of the *Roman Emperors* became their Allies, and *Gallus* submitted to pay Tribute to the *Goths*, 'tis no wonder that the thirtieth part of the World was since reduced to cease from domineering over all the other parts of it: And notwithstanding *Maximines* boast to the Senate in the fragment of his account to them of his *German Successes*, cited by *Jul. Capitolinus* in his Life, *tantum Captivorum abduxi ut vix Sola Romana sufficiant*, his *Resvery* of the Immortality of the *Roman Power* on the Stage of the World was liable to Confutation from the same way of arguing, as his Conceit of his own Immortality was; which having been observed to have tainted his fancy on the occasion of his great and robust Body, the same *Capitolinus* in his Life saies was corrected by a Players reciting these Lines on the Stage in his presence:

*Qui ab uno non potest a multis occiditur,
Elephans grandis est & occiditur,
Leo fortis est & occiditur,
Tigris fortis est & occiditur,
Cave multos si Singulos non times.*

But what I find by *Lipsius* in the second Book, third Chapter there cited out of *Tertullian* is much more applicable to the present State of the World, then to that wherein twas Writ: He saith there, *At Tertulliani locum non insuper habeo, qui egregie asserit Copiam hominum, cultumq; orbis in suo, i. e. Severi*

Severæ Sæculo. De animâ Cap. 30. Certè quidem ipse orbis in promptu est, cultior de die, & instructior pristino. Omnia jam pervia, omnia nota, omnia negotiosa. Solitudines famosas retrò fundi amænissimi obliteraverunt: Sylvas arva domuerunt: feras pecora fugaverunt: Arenæ Seruntur, Saxa panguntur, Paludes eliquantur. Tantæ urbes quantæ non casæ quondam. Jam nec Insulæ horrent, nec Scopuli terrent: ubique domus, ubique populus, ubique Resp. ubique vita. Summum testimonium frequentiae humanæ, onerosi sumus Mundo. Vix nobis elementa sufficiunt, & necessitates arctiores, & querelæ apud omnes, dum jam nos Natura non sustinet.

Then adds *Lipsius*, *Nihil impressius dici potest de pleno frequentique orbe.*

And that strong and populous Nations Conspired to break their Chains hath nothing of wonder in it; and the truth is, the freedom the World has gain'd since the decay of the *Roman Empire*, and even by means thereof, hath hung out such a Picture before all mens Eyes, of Populous Mankind, drawn to the bigness of the Life, as has made the Notion of erecting another *Universal Monarchy*, seem but a Portraiture of Imagination, containing nothing but bold Strokes of Colour, without regular Proportion and Design; and the Copying only a *Landskip* of the *Devil's Mountain*, and his shewing thence all the Kingdoms of the World.

How is the World ashamed now of its having been in the last foregoing Age, amused with the thoughts of the King of *Spain's* being its *Catholick Monarch*, and of having tormented it self with Jealousies about such a great Nothing: And which I believe was never modell'd in the fancy of that Prince, and was only projected by *Court-Sycophants*, and *Mercenary Writers*; and that he himself never enter'd any express claim to it, one would think who reads the *Duke of Buckingham's* answer to the *Spanish Embassador's* Informations, &c. Anno 1624. where the Duke having aggravated some State-Practices of the *Spanish Minister*, adds, *And is not this a Proclamation to all the World, that they aspired to such an absolute Monarchy as so many Books, Stories, Discourses, and the general Complaints of all Princes and States have long charged them with?*

But for such Writers as I last mention'd to flatter a Prince with Insinuations of the Greatness and Extent of his Power, is not more unusual then for Mendicant Poets to over-act their part in Panegyricks, or for the Celebrators of any particular bright beauty in Verse, to represent her as the *Empress* of all Hearts: And thus the Famous *Campanella* after he had made his Present of the *Universal Monarchy* to *Spain*, sent it too a Begging into *France*, as appears out of *Arch-Bishop Laud's* Book against *Fisher*, pag. 210. where he saith that lately *Friar Campanella* hath set out an *Eclogue on the Birth of the Dauphin*, and that permissu Superiorum, in which he saith, that all the Princes are now more affraid of *France* then ever, for that there is provided for it, *Regnum Universale, the Universal Kingdom or Monarchy*. The words there are in the Margin, *Quum Gallia alat 20000000 hominum, ex Singulis Centenis sumendo unum collegit 200000 strenuorum militum stipendiatorum commode perpetuoque, propterea omnes terræ Principes metuunt nunc magis a Gallia quam unquam ab aliis. Paratur enim illi Regnum Universale. F. Thomæ Campanellæ ecloga in Principis Galliarum Delphini Nativitatem; cum annot. discip. Parisiis 1639. Cum permissu Superiorum.*

Yet with a *Non obstante* to the Politicks of *Campanella*, and his pittyful great Flatteries, I shall venture to pronounce the Great *French Monarch*, who is certainly as great a Prince in the Intellectual World, as in the other, and is truly by the bright Sun of Reason *non pluribus impar*, no Designer of taking the Dimensions of the whole Globe of the Earth with Chains; and

do think the most *Christian* King, out of his Royal Prudence, less inclined to favour the servile Flatterers, who would set him up to be King of *Christendom*, then was formerly the *Catholick* Monarch to encourage those who render'd him aspiring to be the *Universal* one: a Title which according to the excellent saying of Mr. Cowly in his *Brutus*, *None can deserve, but he who would refuse the offer.*

Nor do I doubt but that if ever the greatest Prince in *Christendom* should be adandoned to the Vanity of attempting the particular Conquest of *Great Britain* and *Ireland*, his Power in the Ballance of the *V*World would as soon and as sensibly grow insignificant thereby, as did the King of *Spain*, by the Design of 88. And as the Fate of the great temporary Disturbers of Mankind hath been their constant Augmentation of their own Expences, (which was a just pecuniary mulct from Heaven on their Ambition for their encrease of the charge of divers Nations in the posture of Defence,) so is it likely to be more and more to the end of Time: And it was sufficiently exemplified in the Result of the *Pope's* and King of *Spain's* Politicks in 88, which reduced them to attempt the Remedying of the Profusion of their Treasure by sending (as I may say) Canonical *Waste-Paper* to the *West-Indies*, and the loss too of their Cargo of that, as appears by *Malynes* in his *Lex Mercatoria*, where he saith, pag. 126. *That in the year 1561, Pope Sixtus Quintus caused two Ships to be Laden out of Spain for the West-Indies with a 100. Buts of Sack, 1400 little Chests containing each of them three ordinary small Barrels of Quick-Silver, weighing 50 l. apiece, to refine the Silver withal in the VWest-Indies; and a great number of Packs of Printed Bulls, and Pardons granted at that time to make Provision against Hereticks, because the year 1588, had so much exhausted the Treasure of Spain. These two Ships were met with at Sea by Captain VWhite (who was Laden and Bound for Barbary) and brought into England by him, where the Commodities were Sold: But the Popes Merchandise being out of request, and remaining a long time in Ware-Houses at the disposal of Queen Elizabeth, at the last at the request of her Physician Doctor Lopez, she gave all that great quantity of Bulls to him, amounting to many thousands in number: And he and another sent those Bulls into the VWest-Indies, where they were no sooner Arrived but the Popes Contractors for that Commodity did Seize on all the said Bulls, and caus'd an Information to be given against them, that they were Infected, as having been taken by Hereticks. Twas alledged that they were Miraculously saved; but they were lost and Confiscated. Malynes further mentions, That he was employed to appraise the Lading of those Prizes, and to certifie what it cost, and what it might have been worth in the VWest-Indies according to the rate of every Bull tax'd at two Rials of Plate, and some four, and some eight Rials, according to their Limitation, every one being but one sheet of Paper, and by Computation the Lading did not cost 50000 l. and would have yielded above 600000 l. He had before said, That every Reasonable Soul of the Popish Religion in America must have one of these Bulls yearly; and that these Bulls contained a Mandate, that their Beds should be sold who would not take off one of them.*

It seems (by the way) that all that Treasure of *Indulgences*, bestowed by Queen Elizabeth on Doctor Lopez, could not oblige him from designing afterward to take away her Life by Poyson. But this was the result of the Trage-Comedy, or rather, Farce of 88. and Broyl on the Coast when *Spain's Invincible Fleet* that had in it but 8350. Seamen, proved the sport of Fortune and of the *V*Vinds, and the fatal *V*Vrack of its Treasure, inso-much that it could never since (if then) aw the world by the Number of Mariners; Men who love not to be paid with Tickets even in this *V*World, and

and much less to receive them as payable in another, the which is the true Notion of *Paper-Indulgences*.

It is agreed on by all Writers, that the *Spanish Armada*, consisting of 130 Ships then had in it but the Number of Seamen before-mention'd (and of those too a great part borrowed from diverse Countries) and 19290 Land Soldiers, which Naturally clogg'd its Sea Service; for the Antipathy between those and Seamen in Ships is such, that unless the Seamen are the Major part there, they are apt to look on those as intruders, and as such who stand in their way, and in their light: But in a *Remonstrance* to the Earl of Nottingham, Lord High Admiral, from the *Trinity House*, Anno 1602. Extant in *Sir Julius Cæsar's Collections*, 'tis mention'd, that in 88. The Queen had at Sea 150. Sail of Ships, whereof 40 only were her own, and 110 were of her Subjects, and that in the same year there were English Ships employed in Trading Voyages into all Parts and Countries, to the Number likewise of 150 Sail, of about 150 Tunn one with another, and that all those 300 Ships were Manned with 30000 Seamen, that is, the Queens Forty with 12000, and the 110, with 12000, and that in the other 150, were 6000 Seamen.

But it is not unworthy to be remark'd, that notwithstanding the Concurrence of Providence with the Gallantry and Numbers of her Seamen, and the great event of the Confusion of the *Armada*, that made the VWorld so willingly Tributary to her praise; She was so far from giving it any umbrage of her claiming any *Universal Empire* of the Sea, that she as *semper eadem*, who some years before 88. (as we have it in *Cambden*) had on the *Spanish* Embassador's Complaining that the *Indian Ocean* was Sail'd by the *English*, Reply'd, That no Title to the Ocean belongs to any People or particular Man, for as much as neither Nature, nor regard of Publick Use permits the Possession thereof: Did likewise after 88. Notifie the same thing by her Embassador's Expostulation with the King of Denmark, and that the Sea is free for all Men, and that Princes have no such Dominion of the Sea, that they can deny Sailers the use thereof, no more then of the Ayre, according to that saying of the Emperor Antonine, I am Lord of the Earth, but the Law is Lord of the Sea; and she urged, That Princes have no Jurisdiction of the Sea, but of that which is near adjacent to their Territories, and that only for the securing the Navigation from Pirates and Enemies: and that the Kings of England never prohibited the Navigation and Fishing on the Irish Sea, that is between Ireland and England, tho they are Lords of the Coast on both sides; No less then the Dane is of Norway and Izeland, who challengeth this Right to him on no other account.

I intend not to awaken any Controversie about this matter that is asleep in the VWorld, and if it were not, do suppose that *Loccenius's* distinction in his *De Jure Maritimo*, namely the *Imperium Maris Universale*, & *Particulare*, and ancient usages, and the *Pacta Conventa* of Princes and States might send it to rest. I have only spoke of the Fact of the Point in Queen Elizabeth's Story, who probably foresaw that her great example of advancing Navigation, would oblige the VWorld to follow it, and that the claiming an *Universal Empire* of the Shoar, would not have sounded harsher then the pretending to such an one of the Sea, an Empire as easily drawn in a Poets Imagination, as a Ship usually in a Geographer's Map, and with the like proportion; since if the Ship were Measured by his Scale of Miles, it would appear perhaps two or three hundred miles long.

Thus the famed Venetian Poet Sannazarius long since in an Epigram of six Verses, that begins with *Viderat Adriacis*, &c. put the Complement of the whole Empire of the Sea on the City of Venice, and was rewarded by the

the Senate with about a 100 of our *Nobles* for every Verse; but they knew better things then to *espouse* more of the Sea, then their own *Adriatick*, and of that too a *Pope* once demanding the Original of their Right: they returned him an answer very like *Poetry*, *That their Charter for it, was enrolled on the back of Constantine's Donation, of which the Record was in his Custody*: They knew that the enclosing the Common of the whole Sea would have been too chargeable an Adventure, and that the Dominion of their *Adriatick* was no *sine cure*, but brought its Load of Obligation with it, and particularly to protect their Subjects and Allies there, and to purge it from Pirates, and punish Delinquents therein.

Nor could it be a remote Consideration to our *Queen* and her whole *Council*, that the securing her particular Interest, even in the *Brittish* Seas, was liable to difficulty and uncertainty, in regard of the uncertain humor of the Seamen her Subjects, and of the aptnets of all Marriners to change their Quarters, and Embarque in Forraign Service, sometimes on a *Capricio* of their reputing themselves disobliged at home, and at other times on their expectance of better Pay abroad: And accordingly the said *Remonstrance* from *Trinity-House* sets forth, *That in a little above 12. years after 88. the Shiping and Number of our Seamen were decay'd about a 3d. part.*

But tho the World has no Universal Empire, yet Seamen by the moveable Scenes of their Life, and their being every where useful and welcome, have the Previlidge of being Universal Subjects, and are easily tempted to seek good Entertainment in other Countreys, if they find it not in their own.

What I have before observed concerning the Influence of *Numbers* on the Government of the VWorld, will make it appear to any man of ordinary thought and sense, that the Science of the encrease of the People is not a nice Speculation, or an expedient in knowledge to salve *Phænomena*, but is indeed of much more use to the Body Politick, then the discovery of the *Circulation* of the Bloud is to the Body Natural: And I may add, That men's now gravely proceeding just in those tracks of Policy, that they have read and took notes of out of the *Classick* Authors, who writ when there were not so many Millions of Readers and Observers in the World as are now, would be as absurd as is *Astrologers*, taking the measures of their Predictions now from the Tables of *Ptolomy*, since whose time the Equinoctials and the whole Systeme of Heaven are moved from the Position they then had among the fix'd Stars, a whole *Sign* or more, and as is some *Astronomers* pertinacy in following the error of *Aristotle*, who asserted the unalterableness of the Heavens, because in so many Ages nothing had been observed to be altered, when the many Experiences of new Stars have since confuted the Reason that moved *Aristotle* to thing as he did.

Princes and States will now in the Administration of Publick Affairs find themselves obliged to mend their pace, and no longer travel so unconcern'd through the World as formerly, while now they see the new tides of Generation coming in so fast: And no doubt but the great example of the *French* Monarch, and his admirable exact proportioning of his *Receits* with his *Expences* (the which was so remarkable in that active and expenceful year of 1673. that then his *Receipts* came to 8,232,709 *l. Sterling*, and his *Expences* exceeded that total but by 25548 *l. Sterling*) and the strong Current of his successes will enforce *Political* Arithmetick on the World, as the overflowing of *Nile* did *Geometry*.

And it will be but Natural for us to Conclude, that the great encrease of the Number of the People here and abroad in the World, must of necessity be Fatal to the *Papacy* which has been so long an importunate Candidate for a *fifth* Monarchy of the World: But 'tis now too late for any one Man to be

be a precarious King of Kings, and particularly to think, that after the necessity and populousness of the *Northern* Principalities has made them resume their former Donations of Land to the Bishop of *Rome's* Hierarchy, that those Countries that before broke the old Roman Yoke by force, will now when better peopled, and stock'd with better brains, be again brought under a New *Roman* one by fraud, and that the *omne Malum ab Aquilone* will not be able in that Quarter to put an end to that which begins in *Nomine Domini*, and that they will not be the rather willing so to do, in regard that the *North* made the World feel the Malignity of both those *Proverbs* by its old well-meant charity to the Bishops of *Rome*.

And since in the days of Popery here in *Harry* the 8th's time it did pass in *Rem Judicatam*, that the Pope had no more power over us by the Scripture than any other forrain Bishop; it cannot now but seem ridiculous to scruple whether he can thence claim more authority here than any other forrain Prince; and he who was exploded here formerly when the Critical Spectators were not so many, for having ill acted the part of a King on our stage of the World, would be thought mad for personating one after the Play is over.

Thus too in a less peopled World *Bartolus* the famous Lawyer pronounced it to be *Hæresie* to deny the German Emperor to be King of the Universe, the which any one would now account Madness to affirm.

And if in *France* hundreds of Years ago its Monarch greeted the Pope with the terms of *fatuus & amens*, for claiming a Supremacy in Temporals there, 'tis impossible he can be otherwise thought there now, prosecuting a claim to Supremacy in things Ecclesiastic; for even his pretensions to that the Clergy of *France* have damned in their Declaration, by setting a General Council above him: and which Declaration the great Monarch hath there ratify'd by a perpetual and irrevocable Edict. And 'tis but with a Consonancy to the nature of things, that the Papal Infallibility should be concluded against in that Declaration: and since as the Author of the *Policy of the Clergy of France* relates, the Roman Catholick Church there doth so much swarm with New Philosophers there call'd *Cartesians* and *Gassendists*, whose new Philosophy has been there by Zealous Catholics observ'd to have ruin'd the mystery of the Real Presence, (for so the words are in that Book) 'tis no wonder if the growth of the *Messieurs les savants* encreasing with the Populacy of that Realm, makes any man's belief of his infallibility pass for a degree of madness, accordingly as Mr. *Hobbes*, Chap. 8. Of Man, well observes, that excessive opinion of a man's own self, for Divine Inspiration and Wisdome, becomes distraction and giddiness: and this probably may be the final result there of the late fermentation about the *Regalia*, &c. and the Pope be tacitly thought so as aforesaid, and his Power there insensibly evaporate, and without any visible disturbance given to it by the *ratio ultima Regum*: for no prudent person would declaim reproachfully against any of a quiet Phrensy, or molest and vex such a one tho living near him, and would much less project the disgrace or mischief of such an one living at a great distance, tho he should assume to himself bigger Titles than ever the Kings of *India* or *Persia* did, and call himself Son of the Sun, or Lord of the Sea and Land; or like some of the Roman Emperors, challenge Divinity, or be styled *Dominus Deus noster Papa*. And thus may the Pope quietly go on longer to call himself Monarch of the World, without being call'd Names for it in *France*, just as the Dukes of *Savoy* style themselves Kings of *Cyprus* without any gainsaying from the *Turk*; who likewise did not menace the Pope for causing the Brother of the Vice-Roy of *Naples* to be in *Rome* proclaim'd King of *Jerusalem*: nor when that Gentleman in Requital

of that favour from his *Holiness*, caused the *Pope* to be in *Naples* proclaimed *Caliph of Bendas*, was the *Mogul* aggrieved thereby.

And thus probably too will the *Enthusiast's* who assert a *Millennium* or Universal Reign of *Christ* on earth, with that quietness and gentleness that the ancient *Fathers* before the first *Nicene Council* did, pass off the Stage of the World; but it will seem ridiculous not to bind such *Fifth Monarchy Men* in *Chains* as *Mad-men*, who have in *England* and *Germany* endeavoured to bind *Kings* so, and *Nobles* with *Fetters of Iron*, and who would again make *Convulsions* in the State, by the *Diseases* of their minds, as once *Mahomet's* *Epileptic Fits* shook the World, and who by promising us a new *Heaven* and a new *Earth* would confound the old, and only give us a new *Hell* broke loose. But the World will not now be blunder'd into *Confusion* by such wild *Reformers*.

In the Book of the *Apocalypse* (of which *Bodin* tells us in his *Methodus ad facilem Historiarum Cognitionem*, that *Calvin's* Opinion being ask'd, he answer'd, *Se penitus ignorare quid velit tam obscurus scriptor*) it must be confessed that the Majesty of the *Style* is agreeable to that of the rest of the holy Text, and that the predictions of the future State of the Church, and of its splendor in the World are not *grosso modo* utter'd, or attended with any irregularity, but on the contrary that *God* appears there as the *God of Order*, and applying all the exactness of proportion and number, and its very fractions to the great things foretold. After one Verse hath accounted the number of the *Beast* to be 666, the next mentions *St. John's* Vision of a *Lamb* standing on *Mount Sion*, and with him an hundred forty and four thousand. The Bodies of the *Witnesses* are mentioned to be unburied three days and an half. The 4 *Angels* were loosed which were prepared for an hour, and a day, and a Month and a Year for to slay the third part of *Men*. The *Woman* was to be in the *Wilderness* 1260 days, and to be nourished there for a time, and times, and half a time. Blood came out of the *Wine-Press* by the space of 1600 *Furlongs*. There were Seal'd of all the *Tribes of Israel* 144000. And in the State of *Babylon* mentioned in *Cap. 18th*, where the voice from *Heaven* is heard, *Come out of her my People*, though all the various *Sects of Religion* that thrust one another into *Babylon*, will admit of no proportion in their revenge, yet it is there say'd, *Reward her even as she rewarded you, and double unto her double, according to her works, in the Cup which she hath filled, fill to her double*.

But near the end of that Book, where the great Scene of *The New Heaven* and the *New Earth* opens, and the Vision of the *New Jerusalem* is described, a *Golden Rod* was given the *Angel* to measure the *City*, and the Measures thereof are particularized.

And tho I pretend not to understand the meaning of any of these obscure passages of Scripture, yet one thing seems to me there as Conspicuous as the *Meridian Light*, namely, That as the *Divine Providence* did found the *Old World* in *Number*, *Weight* and *Measure*, so it likewise will the foretold *New One*.

The exactness of the Numbers described by *St. John* in that *Prophetick* Book written in the *Island of Pathmos*, hath assured us that his imagination was much above the Vapors that fumed into *Mens* heads in several *Islands* anciently, and made them *Prophetically Fanatick*, as *Gryphander de Insulis* mentions, and in his *Chapter* there, *De Mirabilibus Insularum*, saith, *Alibi fatidici specus sunt, quorum exhalatione temulenti futura præcunt, ut Delphis nobilissimo oraculo. Homines eo Spiritu Correpti dementes ac fanatici dicti, quod circum fana bacchentur.*

But

But it is confessedly too true, That some of the *Expositors* of this *Book*, and particularly in this our *Island* did too long here *Bacchari circum Fana*, and have therefore justly had the name of *Fanatics*, and may as justly expect that their *Oracles* should be silenced as the *Delphic* was, and that any persons of a *sober Party* drunk with *Enthusiasme* will not be again allowed to make all things reel into Confusion.

Those likewise who did here more *cum ratione insanire* than the Fifth Monarchy-men, I mean the Assertors of Presbytery, and who by the pretence of putting the *Scepter into Christ's hand*, projected to put it into their own, will find the numbers of knowing men now so encreased that our World will be more averse then formerly against their offers to mend it by their assuming of Regal Power.

What well willers they were to the Mathematicks of stretching out on our Church and State, the *Line of Confusion*, as the Scripture-expression is, and how they thought *Confusion* as commendable a thing, as I mention'd *Antony's* thinking *Sedition*, sufficiently appears out of Mr. Nyes *Book* I quoted before, where the great Architectonical Rule for settling a Government in the Church is rendred to be the destroying its Government by Law Establish'd: and he there names it, viz. *Tollatur lex & fiat certamen*: and thereupon he saith, p. 187. *It was moved by some Parliament-men Friends to Episcopacy when it was to be removed, that it might remain till a better Government were concluded; but on the other hand it was prudently considered how while that form stood and had the advantage of the Law, there would be no freedom in arguing about it.*

But I account that the great Fundamental Principle for the quiet of the World, as well as of a mans own Conscience, is contrary to that of *tollatur lex*, viz. that no man is warranted by any intention of advancing Religion to invade the right of the Sovereign Power, that is inherent in Princes, by the Municipal Laws of their Countries. When ever any man quits this Principle, he hath made his first step from a Precipice: he is fallen from the Pinnacle of the Temple, and has very presumptuously tempted Omnipotence to save him, after he hath thus begun to destroy himself, and Religion too, and has to Heavens secret Will sacrificed its Reveal'd.

The shaking of this Principle is, as I may say, the shaking of the Earth; and as *Aulus Gellius* tells us in his *Noctes Atticæ* that the Romans did not know to which of all their Gods to offer Sacrifice in the time of an Earthquake, but did then only worship an unknown Deity, this too will be the fate of Nations where the *lex terræ* is shook by Enthusiasts, namely that too many people will not know what God to adore, and their pretended Illuminations will only serve to conduct them to such an Altar, as at Athens groan'd under the Subscription to the unknown God; and if perhaps some Enthusiastick weak Brethren arrive not at the denomination of the *Fortes-esprits* applyed in France to Atheists, they will be abandon'd to a disposition to close with the next Hypothesis of Religion they shall meet, whether that of Deists, Papists, or Muggletonians, or Mahumetans; as *Bodin* speaking of the Cause of several Nations, being fixt in their particular soiles saith, *alii longo errore jactati, non judicio elegerunt locum, sed lassitudine proximum occupaverunt.*

To this purpose our incomparable Bishop Sanderfon in his Lecture *de adæquatâ Conscientiæ Regulâ* doth with great weight and a profound pious passion, reflect on the effects of the breaking the Establish'd Religion in England by our late Reformers, and saith, *Stetit hic aliquamdiu, sed non diu stetit effrænis hominum temeritas, &c. hoc fonte derivata audacia, effluxit tandem in apertam Rabiem, & exivit jamdiu in furorem Anabaptiscum: & quamvis*

quamvis quo potèd progrediatur vix habet, usque tamen progreditur indies, & nova quotidie parturit opinionum monstra: ut nisi ex sacrosancto Dei verbo didicissemus firmum stare fundamentum Dei, neque adversus ecclesiam Christi praevalituras unquam ex toto Inferorum portas, omnino metuendum foret ne Universa Christi ecclesia Atheismi velut diluvio obruta, toto orbe funditus periret.

Little did many of our deluded Reformers when they broke the hedge of the Law, think what *Serpent* bit them, and as little did many of their well-meaning followers think, that while their *Pastors* did speak the Cause of Religion so fair, that at that time the very poyson of the aspes of Popery and Superstition, was under their tongues, for that No Principle hath in it more of the Popishness of Popery, if I may so say, in the resemblance of the aggravation of Sin by it self, viz. the sinfulness of Sin, then the legitimation of unjust things by holy ends; and this too our last mention'd Bishop brands in his *Prælectio secunda De bonâ intentione*, where having mention'd that a Cardinal telling the Pope in a Conclave, that somewhat he propounded to be done was not just, and that the Pope reply'd, *Licet non posset fieri per viam justitiæ, oportere tamen fieri per viam expedientiæ*, he goes on thus, *Nimirum isthoc est sapere! hæc est ex Jesuitarum ni fallor officinis deprompta Theologia, omnia metiri ex Commodo Sanctæ Matris Ecclesiæ, sacrosancta dei eloquia qua lubet inflectere, Nasi ad instar Cerei torquere, distorquere, invita Cogere in rem suam.*

And too little do many who justly Complain of Popery's having supported it self by Arbitrary Power on Earth, reflect on their having supported that Power against Earth, and even against Heaven it self, and that the fumes of their Enthusiasme do vainly try to erect a Pillar of smoke against Heaven, as I spake before of the Jesuites Morals, setting up one of Ignominy against it, and that it is an unlucky part of the Arbitrariness of Popery to transplant some of its odious Principles among other Sects, as the Devil can at pleasure transform himself into an Angel of light.

The general received notion of Superstition is, that 'tis a needless fear about Religion, and there is no fear more needless and irrational than that of Gods being unconcern'd in its Protection; the which to imagine, is more unworthy of the Deity, and a greater tendency to Atheism, then was the delirium of Epicurus about God's Carelessness of humane affairs; and in relation to which, Tully in his *De Natura Deorum* having discours'd of one that deny'd the being of a Deity, saith, *Nec sanè multum interest utrum id neget, an Deos omni procuracione atq; actione privet: mihi enim qui nihil agit, esse omnino non videtur.*

He there moreover acquaints us with the origine of the word Superstition, saying, that *Non enim Philosophi, verum etiam Majores nostri superstitionem à Religione separaverunt: nam qui totos Dies precabantur, & immolabant ut sui liberi sibi superstites essent, supersticiosi sunt appellati, quod nomen patuit postea latius; qui autem omnia quæ ad Deorum Cultum pertinerent, diligenter pertractarent, & tanquam relegerent, sunt dicti Religiosi ex religendo, &c.* But those things that those antient Heathens carefully discriminated, many Modern Christians as carefully Confound, namely Superstition and Religion, and by the innate pride of Humane Nature leading men to worship the Gods that they make, rather then the God that made them, and which enslaved the ancient Jews almost with a Continuando to the Adoration of stocks and stones, and to the neglect of the worshiping the God that delivered them from the House of Bondage; degenerate Christians adore the Births of Religion in their own fancies, and having there Model'd a Deity do Act over the old Superstition with Anxious wishes and Formal Prayers that

that those their monstrous *Births* may out-live them, and do outgo all examples of the heathen World in the ἀνθρωποθυσία, immolating Nations by War to those *Children* of their imagination; and thus Popish Superstition within our Memory turn'd *Ireland* into one *Akeldama*, and Enthusiastick Superstition converted *England* into another; and as *Lipsius* tells us, that the *gladiatory* Combats did in some one Month cost *Europe* 30000 mens lives to divert the old *Romans*, so fanatical have some that call themselves Protestants been as to afford sport and diversion to the new *Romanists*, and even the very *Jesuits* by *Superstition*, having made so many of us *Gladiators* against one another, and as if we were Brute *Animals*, we give them the recreation of seeing us like *Cocks* attacking each other with the keenest anger when they please, and give the Arbitrary Power to the *Jesuits* to make our Land their *Cock-Pit*.

But *the set time* (humanly speaking) for the extermination of the superstition of Popery here being come, and the worst thing in *Popery* being its *Fanaticism*, and *Holy Church* being the great *Asylum* of that, as our Learned Dr. *Stillingfleet* hath taught the World in his Book of the *Fanaticism of the Church of Rome*, 'tis in vain for Popery or Jesuitisme to save themselves from the blow of Fate by standing behind *Presbytery*. The *Conclusum est contra Manichæos* before mention'd that is now the *Vox populi*, doth with its full cry pursue *Presbytery* as well as Popery, for the making *duo summa Principia* in States and Kingdoms, and claiming an Ecclesiastick Power immediately derived from Christ and not dependant on the Civil: and 'tis in vain for any Principle, that an awaken'd World pursues as a Cheat to try to save it self by changing its name. There is no observation more common, then that *Popery* and *Presbytery* that seem as distant as the two Poles, yet move on the same Axle-tree of a Church Supremacy immediately derived from Christ; and Mr. *Hobbs* his *Leviathan* might have passed through the World with a general Applause, if no Notion had been worse in it then in Chap. 44. The making his *Kingdom of darkness* to consist of Popery and *Presbytery*.

The measures that the Genius of our Nation inclines it to take of things from *experiment*, will Naturally Perpetuate its aversion from *Presbytery* as well as *Popery*.

For tho the *Divines* of the Protestant Churches abroad that are fautors of the *Presbyterian* Form of Church Government, own not the doctrine of Rebelling for Religion, and tho thus on the occasion of a *Jesuite's* formerly Printing somewhat in defence of his Order, and alledging that several Protestant Writers had allow'd the Rebelling of Subjects against their Princes, and instanceth in *Buchanan* and *Knox*, yet *Rivet* the Professor of Divinity at *Leiden*, in his Answer to that Jesuite, saith, that all other Protestant Writers Condemn that doctrine; and he ascribes the Rashness of *Buchanan* and *Knox*, *præservido Scotorum ingenio, & ad audendum prompto*: and tho the persons who in *Holland* and *France* live under that Form of Church Government, have pretended to no authority from Christ to resist Sovereign Powers, and that the Loyalty of the French Protestants hath been so signal under all their Pressures that *D'Ossat* in his Letter to *Villeroy* from *Rome*, January the 25th, 1595, having discoursed of the horrid attempt against the Life of *Harry* the 4th, acknowledgeth, Concerning the *Huguenots*, *il's n'ont rien attenté de tel, ny contre lui, ny contre aucun de cinq Roys ses predecesseurs, quelque boucherie que leurs Majestez ayent faite des dits Huguenots*: i. e. They have attempted nothing of this Kind either against him or against any of the five Kings his Predecessors, notwithstanding the butchery or slaughter that their Majesties made of those *Huguenots*, yet is

it too notorious to be denyed that that sort of Church-Government having in *Scotland* in the time of our former Princes been accustomed continually to hold their Noses to Grind-stones, which was a preparatory way to have brought their Heads to Blocks, and that Nation invading us with a *Covenant*, the very entring into which and the imposing it without leave from the King so to do, and much more against his Command, was a thing that perhaps to the *Associators* themselves seemed *illegal* and contrary to the *Petition of Right*, which provides against the administering of any Oath not warrantable by the Laws and Statutes of this Realm, there was by that means a Coalition between the Presbyterian *Divines* of our Nation and theirs in principles of Enthusiasme and Rebellion, Principles that our *Nonconformist* *Divines* in King *James's* time here abhorred; for in the *Protestation* of the Kings Supremacy made by those *Ministers* and Published Anno 1605, the conclusion of their 4th Tenet is, *That the Supremacy of Kings is not tyed to their Faith and Christianity, but to their very Crown from which no Subject or Subjects have power to separate or disjoyn it*: and their 9th Tenet is, *We hold that though the King should command any thing contrary to the Word unto the Churches, that yet they ought not to resist him therein, but only peaceably to forbear Obedience and sue to him for Grace and Mercy, and where that cannot be had meekly to submit themselves to the Punishment*: and their last Tenet is, *We hold it utterly unlawful for any Christian Churches whatsoever by any Armed Force or Power against the will of the Civil Magistrate and State under which they live, to erect and set up in publick the true worship of God, or to beat down or suppress any Superstition and Idolatry that shall be countenanced and maintained by the same.*

And I believe none will imagine that those Nonconforming *Divines* would take any Oath but in the imposers sence, or Casuistically advise others so to do.

'Tis therefore no marvel if our later Presbytery being so unconformable to the Law of the Land, and to the Tenets of the former Nonconformists, soon grew weary of it self, and did with its horrid Visage only face us and march off. Your Lordship found that in another thing it resembled Popery, namely in that it would be all or nothing, and you helped it to the latter part of the Alternative.

Mr. Nye who made a great Figure in the *Assembly of Divines*, hath in that Book of his forementioned, p. 98, helped this Age to know how Arbitrary they would have been in delivering men to Satan; for faith he there *the exercise of Discipline in our Congregations was ordered by the Parliament, but limited likewise to an enumeration of the Sins for which we might excommunicate, exempting other Sinners that were as much under our charge. This was looked on by the Assembly as a great Abridgment of their Ministerial Liberty, and so great as they professed it could not with a good Conscience be submitted to, as not being able to perform their trust which they receiv'd from Jesus Christ, and must give an account of to him, resolving to stand fast in the Liberty wherewith Christ hath made them free.*

So ridiculous were those *Divines* that tho no Pope ever arrogated a power to Excommunicate one, but for the Crimes nominated in his *Canon-Law*, and tho our Church of *England* never claim'd a power of excommunicating, but for a Crime express'd in the Kings Ecclesiastical Laws, yet those forward Disciplinarians would have been allow'd to shoot their Thunderbolts of Excommunication upon a *Capricio*. But not only the Parliament but the whole Nation in a manner pronounced them *Contumacious*: the people saw how Arbitrarily they would have interdicted the whole Land from the use of the Cup and Bread too in the Sacrament, and have rail'd in the Communion

munion-Table with fantastick Qualifications, and they soon judged those Clergy-men guilty of *Irregularity*, and the rather for that they had engaged so far in *Causâ sanguinis*, and the same Sun of Reason and Knowledge that with the strength of its Beams had here put out the Popes Kitching Fire of Purgatory, did soon without noise and insensibly confound their Dominions in the *Kingdom of Darknes*, and those *Divines* themselves found that their destroying Episcopacy here, had in effect by the *Parliaments* being their *Superintendants*, enthroned *Erastianisme*, that which indeed their Principles led them to hate more then Episcopacy it self.

Mr. Baxter in the Preface to his *second part of the Nonconformists Plea* speaking of *Presbytery* saith, *I do not hear of many out of London and Lancashire that did ever set up this Government, and I know not of one Congregation now in London of Englishmen that exerciseth the Presbyterian Government, nor ever did since the King came home, &c.* And saith, *they have no National Assembly, no Classes, no Coalition of many Churches to make a Presbytery, and I hear of none (unless perhaps some Independants that I know not) that have so much as ruling Lay-Elders.*

Alluding to some expressions before applyed to *Papists* and *Popery*, I may say that the *Cato's* of *Presbytery* came here on the Stage, *tantum ut exirent*, and that Government soon had its period here *per simplicem desinentiam*: 'Twas obvious that *Presbytery* as well as *Popery* directed men where to stand in a place divided from the Civil Government, and so to shake the Earth: and it appear'd very *inauspicious* to the Model of the *Covenant*, that in its first Paragraph, it should stumble upon *implicit Faith*, by swearing to a Government and Reformation that *shall be*, and to the preservation of the *Reformed Religion in the Church of Scotland, in Doctrine, Worship, Discipline and Government*, the particulars whereof, the *Lay-Covenanters* of *England*, if not the *Clerical* also were far from understanding.

And tho in that *Paragraph* the *Covenant* binds its takers to endeavour to advance the *Reformation* of Religion according to the word of God (a Clause that Sir Harry Vane declared to a very worthy Gentleman now living, that he caus'd to be inserted into the *Covenant* after much debate about the same, and opposition from the *Scotch Commissioners* with whom he was interested in the making of it, and thereupon said, *That he was three days in getting the word of God into the Covenant*) yet that *Covenant* having almost extirpated *Root and Branch*, those spiritual Guides from whom the people might expect a more Rational and Learned Interpretation of the *Sense* of the word of God, then from the *Presbyterian Divines*, they were soon sensible of their danger both as to the perverting of the *Scripture* and subverting of the Church from the new Correctors of *Magnificat*, and found that such an *Inundation* of Vile Religious Tenets was got into the Church, that the *Houses of Parliament* ordered the 10th of March, 1646. To be set apart as a solemn day of humiliation to seek Gods Assistance for the suppressing and preventing of the growth and spreading of Errors, Heresies and Blasphemies, and that Mr. Vines on that day Preaching before the Commons, p. the 4th of his Sermon printed, acknowledged, *That that day was the first that ever was in England on that sad occasion*, and p. 67 of that Sermon mentioned a most detestable thing then broach'd by the *Press*, though yet in the way of Query, namely, *what is meant by the word Scripture when it is asserted that the denying of the Scriptures to be the word of God should be holden worthy of death*: for saith the Author, *either the English Scriptures or Scriptures in English are meant by the word Scriptures, or the Hebrew and Greek Copies or Originals, the former cannot be meant with reason, because God did not speak to his Prophets and Apostles in the English Tongue: nor*
the

the latter, for the greatest part of men in the Kingdom do not understand or know them.

Mr. Vines declared his just Abhorrence of that *insinuation*, and faith, *If this dilemma be good, what is become of the certain foundation of our hope, or faith, or comfort? how can we search the Scriptures without going first to School to learn Hebrew, and Greek?* And 'twas obvious to every one to consider that if the *English* Scriptures are not the word of God, there was an end, not only of the Reformation according to it mentioned in the *Covenant*, but the substantial one promoted by the Protestant Religion, that help'd us to the Treasure of our *English* Bibles, and that we should soon be stranded on the Shore of *Implicit Faith*.

Nor could it long be hid from common observation, that those *Divines* who exclaim'd so much against the *Ceremonies* of the Church of *England*; as an oppressive *Yoke*, would have imposed on us such a rigid observation of the *Sabbath*, the great *Scene* of Ceremonies among the *Jews*, as would have made it forgot that it was ever made for man.

The *thinking* sort of men found that tho the Principles of those *Divines* did not like the Jesuits make *Calumny* no mortal Sin, that yet as the Adherents to Presbytery did calumniate the Constitution of the Church of *England* for bordering on Popery, and the *Royal Martyr* for being a *Fautor* to it, so they did by their Censorious tempers transfuse such an acid humour among the people, that very much loosned the Nerves of the *English* good nature, and distorted the *English* hospitality, and therefore 'tis but by a natural instinct that that old *Pharisaical Leven* is now so nauseous, that probably any one suspected of an inclination to replant the old Presbytery here and its *Arbitrary* Power to excommunicate, would too be *staked* down to a narrower tedder in Conversation, and be it as it were *excommunicated* from Gentlemens Company, as much as *Make-bates*, or common Informers upon *Penal* Statutes.

The people heretofore found out that as Popery endangers men by the *Priests* not intending to make the *Sacrament of the Eucharist* when he administers it: So that these, as I said, intended it should not be at all administered but to their own Sect, and that the gesture of sitting at the Communion that they invited men to, and thereby to their being rescued from the Popish Posture of *Kneeling*, was but a sort of *Sham* in its way, for that kneeling, was the gesture used in the ancient times of the Church, and the first that was ever observ'd to sit then was the *Pope* to express his State.

The observing sort of Men then judged that as *Sibthorpe* and *Manwaring* had been exploded for going beyond their Credentials from Heaven, as God's Ambassadors, in straining the Prerogative of Princes, these deserv'd to be so too, for scrving the Power of Parliaments above Law, and for thrusting down the *King* into the Class of *The Three Estates*; and that as *Sibthorpe* was exposed to severe Animadversions, from the Age for his *Sermon of Apostolic Obedience*, shewing the Duty of Subjects to pay Tribute and Taxes to their Princes, &c. And p. 21. of that Sermon, applying the words of *Curse ye Meroz*, yea curse them bitterly, &c. to the promoting his illegal purpose; they deserved to be censur'd for going on too with the Alarm of *Curse ye Meroz* thousands of times over, when the Subjects were slack in paying Tribute to one another, to dethrone their Prince.

They saw that those *Divines* in trying to *salve the Phænomena* of the Oaths of Allegiance and Supremacy and the *Covenant* that they had taken, were in the Course of their Theology continually put to it, to *deliberate* of Rebellion, and that their very *deliberation* of it was *ipso facto* one, and a thing

thing that included the horror of a mans *deliberating* to kill his Father: and 'twas but natural for the people representative and diffusive to fancy it lawful for them silently to *resume* the power given to those Church-men and abused by them, who were always in the Pulpit and Press lowdly trumpeting forth the *Jesuitical* Notion of the lawfulness of the peoples *resuming the Power given to Kings*; and as I shall never fear that the *King of Spain* will ever be able to take the World in a *Ginne* by *Campanellas* advise to him in *Chap. 5. of the Spanish Monarchy* to employ Divines, to set up the Roar of *unus Pastor and unum Ovile* every where for the Pope, so neither shall I, that mens vociferating the Clause in the Covenant, viz. *That the Lord may be One and his Name One in the three Kingdoms*, will ever again be able to embroyl them.

In short any one who shall consider that in *Scotland* Presbytery's former *Kingdom of Darknes*, the people have been so of late illuminated as to find the way to be Latitudinarians, need never have any fears and jealousies of that Governments, *jus Divinum*, again Marching hither. In the first Session of the second Parliament of this King at *Edenburgh*, November the 16th, 1669. There passed an Act wherein 'twas declared, *That his Majesty hath the Supreme Authority over all Persons and in all Causes Ecclesiastical within this his Kingdom, and that by vertue thereof the ordering and disposal of the external Government and Policy of the Church doth properly belong to his Majesty and his Successors as an Inherent Right to the Crown, and that his Majesty and his Successors, may settle, Enact and Emit such Constitutions, Acts and Orders, concerning the Administration of the External Government of the Church and the Persons employed in the same, and concerning all Ecclesiastical meeting, and matters to be proposed and determined therein as they in their Royal Wisdom shall think fit, &c. And his Majesty with Advise and Consent aforesaid doth rescind and annul all Laws, Acts and Clauses thereof and all Customs and Constitutions Civil or Ecclesiastick, which are contrary to or inconsistent with his Majesties Supremacy as it is here asserted, and declares the same void and null in all times coming.*

This Act of Parliament is the more observable for that it declared the extent of the Regal Power in Ecclesiasticks, after that in the Year 1663, An Act passed there for a *National Synod* under the Government of Bishops, and for that Presbytery which was before like *Flame*, the only body in Nature that doth not content it self to take in any other body, but would either overcome and turn another body into it self, as by victory, or it self to dye and go out, was then grown so amenable to the Course of Nature in all other bodies (of which one is a glue to another) that not satisfied with its own former consistence, it did as suddenly, and easily, and quietly receive in the body of *Episcopacy* (as I may say) as Air takes in light, and as readily as *Metals* themselves receive in strong waters; and then it was that *Episcopacy* which in the Forms of Church Government seems by its weight as *Gold* among *Metals* (and indeed all bodies) to be the most close and solid, did there greedily drink in the *Quicksilver* of Presbytery.

But tho Presbytery then was and now is considerable in the *Internal* part of the Government of the Church of *Scotland*, and is likely so to be till *Christ's* second coming (humanly speaking) with a *non obstante* to any thing that time can cause, and will be preserved in perpetuity by the means of what my Lord Bacon calls the *drowning* of *Metals*, namely when the *baser* Metal is incorporated with the more rich as *Silver* with *Gold*, yet so willing were they in *Scotland* to give to *Cæsar* the real Supremacy that was *Cæsars*, that knowing the Protestant Religion can be no more there de-

stroyed under any external form of Church Polity then as I said, Gold can be destroyed in Nature, they thought it more prudent to trust the *Crown* with a Power of *melting* down that on emergent occasions, and altering the *Superscription* of its *Coin in infinitum*, I mean its outward polity and denominations, rather than that the *Crown* it self should be once more so fatally melted down by any of those denominations as formerly.

And as the *Covenanting Divines* of *Scotland* by at last consenting that some things in their *Presbytery* (which whether *tolerabiles ineptiæ* or substantially good, I now enquire not) should be preserved by *Episcopacy's* being the *Paramount National Church Government*, have done that which would make it appear ridiculous for them ever again to attempt to replant *Presbytery* and extirpate *Prelacy* as formerly, so likewise have the most eminent sort of our *Presbyterian Divines*, who were associated with them, by desiring since the *King's Restoration* to submit to *Dr. Usher* the *Archbishop of Armagh's* Form of *Episcopacy*, done the self same thing (over and above their being then reordained by *Bishops* who had before received Orders only from the hands of the *Presbytery*) and especially when it shall be considered that that *Form of Episcopacy* as described by that *Learned and Pious Archbishop* Courtted them and was refused by them, before our *Civil War* began wherein they were the *Trumpeters* and before *three hundred thousand men were slain* in *England*, as *Mr. Carew Reynel* in his Book called the *true English Interest* Accounts the number to have been.

'Tis therefore with the justice of Fate that our old *Presbytery* too is gone among *Pancirolls Res Deperditæ*: and if it could be supposed that there was any *Order* of *Forraigners*, whose avowed or known design it was by force or restless artifices and retaining *Pensioners* to revive that Government here in spite of our *Laws*, I shall think the term of *hostes* with justice applicable to them too.

But there is another thing beside the *Coincidence* of some of the Principles of our *Presbyterians*, with *Popery*, that we have now too loud a *Call* to think of: and that is that the great real part of the danger that we now are in of the inundation of *Popery*, and its idolatrous worship, is to be imputed to their having broke the Banks of the *Regal Power*, and enforced the *Royal Issue* for the Safety of their Persons to be exiles abroad in *Popish Countries* for many years, and where they might be in danger of the Poyson of *Popery* conveyed into them in the *Vehicle* of the *Civilities* they received from *Popish Princes* after they had been so barbarously treated by their *Protestant Subjects*, who after they had by secret whispers calumniated them for being *Papists here*, did in effect by the loud outrage of their Actions bid them go and be *Idolaters there*.

When I think of the cruelty in the late *Usurpation* they shewed to his Majesty in his being thus not led but driven into temptation by his Subjects, I am minded of applying to it, part of those words in *1 Samuel* c. 26. v. 10. of *David* to *Saul*, *If the Lord hath stirred thee up against me, let him accept an Offering, but if they be the Children of Men, cursed be they before the Lord, for they have driven me out this day from abiding in the Inheritance of the Lord, saying, go serve other Gods: as to the meaning of which words, I shall consult no Commentators among the Critics but shall rather take it from the Assemblies Notes, and I may say that in their Comment on it they write their own Commentaries, and they thus à propos say, I am now driven so as I cannot be present in the Tabernacle to worship God and enjoy those holy Priviledges, but am forced to wander from place to place, &c. saying, go serve other Gods, that is, tho not verbally yet really they have done it, and as much as in them lies, they have compelled me to Idolatry, by forcing me an Exile to fly into idolatrous Countries, &c.*

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It cannot have escaped the observation of a person so curious as your Lordship, that among the many allow'd ways of Punishment among the *Jews*, banishment was not one, and the reason thereof is supposed among the *Rabbinical* writers to be this: the Laws of the *Jews* and their *Religion* being the *same* thing, to have *banished* men from their Country and the benefits of its *municipal* or Civil Law there, had been to have *banish'd* them from their Religion and the means of their salvation, and from doing *which* the *Jews* were so averse that even the *Excommunicate* among them were not removed from all parts of the *Temple*, and were admitted there to a peculiar place. But this cruelty to Souls unknown even among the stiff-neck'd, hard hearted *Jews*, was by such Christians as pretended to the greatest tenderness of Conscience practis'd toward their *Sovereign*, and that to such a degree that as if they designed that *the Lords Anointed the Breath of our Nostrils* should be only in the infectious *Air* of Popery, after they had exiled him from his own Protestant Realms, they effected by the power of the prevalent Faction in *Holland*, that he and his *R. H's* and their Adherents should be banish'd thence also: nay, out of *France* where the Air was less infected with *Popery*, into one more pestilential, I mean into the Dominions of *Spain*.

If therefore there is any number of men in these Realms that owns the old *Scotch* Plat-form or Presbytery, and the former Methods to advance it here who shall be excessive in aggravating our danger of Popery, I shall think that herein they practise a great deal of Self-denial, and do not consult their own rest while they disturb that of the World, and are of all men the most obliged to speak softly of that Subject.

But more than enuf hath been said to argue the paucity of the number of such in *England*. The Bishops Survey of the number of the perverse *Opiners* in Religion, mentions that two or three are called *Self-willers* professedly: and by that number of that Sect (for ought I know) may be meant so many of the lovers of the old *Plat-form*, and no name can better fit any who would maintain the Garrison of an opinion after their Commanders have slighted it, then *Self-willers*.

But so much gratitude doth *Popery* now shew to *Presbytery* and to those who are call'd *Presbyterians*, that because they magnifie and enlarge the Numbers of the Papists on all occasions, the Papists do the like for them. And because 'tis now the *mode* of many *timid* Protestants to value themselves upon their Timidity's, and on *the fear of the Papists and their numbers being falln upon them*, as if Christ who commanded his *little Flock* not to fear, could be pleased with his great Flock of Protestants here being in continual fear of *Antichrists* little one, I shall now entertain your Lordship with an Account of the present number of the Papists here, and some little historical Glances about the gradual decrease thereof in this Realm in several conjunctures of time since the *Reformation*, and in every one of which the highest tide of their numbers hath been but introductive to their lowest Ebb.

Of all Nations the *English* are observ'd to be the least addicted either to fear or jealousy. The Pencil of Nature hath in *English* minds on the dull and vile colour of fear (the which is said to be *aversion* with the opinion of hurt from any object) laid on that more noble and bright one, which is said to be the hope of avoiding that hurt by resistance, and is called *Courage*: and this Age which is so inquisitive into the Causes of things, will be naturally apt to abominate that *fear* that is causeless, or without the apprehension of *why* or *what*, and which from the Fables of *Pan* (as Mr. *Hobbs* saith) is called *Panic-fear*: and methinks the very *English* genius doth

doth now begin to rouse it self up and call on us to weigh our fear, and if we find it just to prevent our being surprized by danger, and if causeless, to abandon it, according to the words of the Orator against *Catiline*, *Si verus ne opprimar, sin falsus ut tandem aliquando timere desinam*, and not to contribute to the encreasing the numbers of the *Papists* which has in all times most fatally happen'd (and that too according to the course of Nature) by the fearing them, according to the Instance of the encrease of the number of the *Jews* mentioned in the Book of *Esther*, where 'tis said, *And many of the people of the Land became Jews, for the fear of the Jews fell upon them.*

On the account of our having most justly deserved the *Visitation* of Popery we may very reasonably apprehend the danger of it: but the immoderate fear of the Plague is so far from being an Antidote against it that we use to say, it comes with a fear. And as we have justly deserved to be punished by the rage of Popery, so have we likewise to be tormented with those Epidemic fears to which we are abandon'd, a Judgment mention'd by the Royal Prophet, where he says, *Put them in fear O Lord, &c.* and likewise one Concomitant of our fear, namely, the shame we are exposed to for it from the *Papists* themselves. An instance of it occur'd to me in the Reading a Pamphlet call'd *the seasonable Address of the Church of England to both Houses of Parliament*, Printed in the Year 1677, but writ by a *Papist* and in the way of *Sarcasme*, where in p. 30. the Author saith, *And here I cannot omit to tell you that this partiality of our Rigor hath already given Protestants the confusion and Papists the comfort to imagine that our fears and jealousies of Popery which at present disturb and distract the Nation, are but the self same sprights that haunted Caiphas his house, lay under the Jews Council-Table, and scared them with the Romans coming and overrunning their Countrey. There have been men of so weak a judgment that they have dyed only with the fear of death, and it is not without all ground that our Adversaries now hope that we shall at length turn Papists with the fear of Popery.*

But that I am not heterodox in my Notion of Poperies not being now so formidable, by the strength of its numbers as the timid Protestants make it, is sufficiently manifest from the Conditional *Vote* of two Houses of *Commons* relating to the being revenged on the *Papists*.

Part of the entertainment I just now promised your Lordship, I shall borrow from *Dr. Glanville*, and for it do refer you to his *Zealous and Impartial Protestant*, p. 46, 47. where he saith, *in the year 1676, Orders came from the Archbishop to the several Bishops, and from them to the respective Ministers and Church-wardens in the Province of Canterbury, to enquire carefully and to return an Account of the distinct Numbers of Conformists, Nonconformists and Papists in their several Parishes, viz. Of all such men and women that were of Age to Communicate, &c.*

The number of Papists there returned was but eleven thousand, eight hundred and seventy. Now tho in this Account Conformists and Nonconformists were not so distinctly, could not so justly be reckon'd, yet for the Papists they being so few in each Parish and so notoriously distinguished as generally they are, the Ministers and Church-wardens could easily give account of them, and there is no reason to suspect their partiality, &c.

In St. Martins alone I have heard of twenty or thirty thousand: but the Account was taken there and as exact a one as could be, and I am assured by some that should know and had no reason to misinform me that the number return'd upon the most careful Scrutiny was about 600. I have found the like fallings short of the reputed Number in divers other noted places. In one City talked of for Papists as if half the Inhabitants were such, I am assured there are not
twenty

twenty Men and Women: In another large and popular one, a Person of Quality living in it told me, there were at least 600, but when the enquiry was made by the Ministers and Church-wardens in each Parish, the Number was not found to be 60; and 'tis very probable such a disproportion would be met between the reputed and real Numbers in all other places if Scrutiny were made. In all the West and most Populous part of England they are very inconsiderable. I hear frequently from Inhabitants of those places, that in Bristol the second or third City of England there is but one, and in the City of Gloucester one, or two at most: in the other great Towns and Cities Westward scarce any, and those that are in the Counties at large are extremely few, thinly scatter'd, here one, and at the distance of many Miles, it may be another, &c.

We hear of the vast Numbers in the North, and there are more no doubt in those parts than in the Western: but I believe they are much fewer than we hear, and no way able by their Numbers to make any kind of ballance for the exceeding disproportion in the West.

The truth is People are mightily given and generally so to multiply the Numbers of Papists, and they do it in common talk at least ten-fold, &c. And after faith thereupon, God forbid, I should diminish the real force of our Enemies, or endeavour to render us secure in dangers. The Malignity and Principles of Papists, their unwearied zeal and diligence to overthrow our Religion, I very well know and thank God that the whole Kingdom is awakened to apprehend: but I think we shall encourage them and dishearten our selves, if we over magnifie their strength, &c.

There came out in Print in London in the year 1680. a Sheet of Paper called a Catalogue of the Names of such Persons as are or are reputed to be of the Romish Religion, not as yet Convicted, being Inhabitants within the County of Middlesex, Cities of London and Westminster and Weekly Bills of Mortality, exactly as they are ordered to be inserted in the several Commissions appointed for the more speedy Convicting of such as shall be found of that Religion; a Paper, that was not Published I think by a friend to the Papists: for the Author there Names them and the respective Parishes they lived in, and the total number of Men and Women there was 317, of which only one Man was there called *Monfieur*, tho yet six others seem'd to me there to be of *French* Names; and one there has a *Dutch* Name, and only one person is there call'd an *Italian*; so that notwithstanding the great Cry of Foreign Papists in, and about London, they did but little more than make a Number: and the persons there reckoned for *St. Martins* in the Fields are but 22, and for *Covent-Garden* but 4, where yet the *Bishops Survey* makes 64, and for *St. Margarets Westminster* that Printed Paper makes but 4, of which the Number it seem'd in 41, proved so dreadful to Justice Howard.

St. Andrews Holborn has in that Paper but 6, which in the *Bishops Survey* has 13. *St. Giles in the Fields* has in that Paper but 23, which has in the *Bishops Survey* 126. The *Savoy* in that Paper has but 6, which in the *Bishops Survey* has just the same Number, and *St. Giles Cripplegate* has there but 2, which in the *Bishops Survey* has 20.

Of the care that was probably taken in those Parishes in London that made Returns in that Survey, *Covent-Garden* Parish, and some others are Instances in one thing, namely that there are near so many houses as Returns are made for, or not many more. Thus in *Covent-Garden* the Conformists return'd are 790: the Papists 64, the Nonconformists 6: and so Servants and Children and Lodgers being not return'd (as *Dr. Glauville* saith,) the persons of Men and their Wives return'd in all there, are 860, which agrees pretty well with the number of houses there which are about 460.

I suppose that Printed Paper by the Number of Inhabitants included only House-keepers as the Bishops Survey did, and tho it is not to be doubted but that when that Survey was made, there were in the respective Diocesses, Deaneries and Parishes therein return'd, at least the full Number of the Papists therein mention'd, yet the Popish Plot about two years after occasioning the other Paper, it may be supposed that what by many Popish Families removing out of the Realm, and what by many of them coming to our Churches, the Number of the Popish Recusants did there considerably decrease, as it has from the beginning of the *Reformation* gradually done, unless in some particular Intervals, or *Conjunctures*, and is likely so to do, till the uncouthness and strangeness of their Principles and Scarcity of the persons that own them shall make them *tolerable as Rarities*.

I did before in this Letter thus far accord with Mr. Nye that *Popery* since the Reformation may have sometimes acquired a new vigour, and that it hath not always since its first assaults against *Popery* gain'd ground of it proportionably, but whatever the Fate of the Ejected *Puritan* Divines in Queen *Elizabeth's* days was, and whether deserv'd or not, and properly or not timed, I enquire not (tho yet in our days the plenty of Conformist Divines is such visibly that the supply of all our good Livings needs not crave Aid from *Dissenters*) but do on all thoughts made persist in my opinion, that Protestantism hath since its being first espous'd here as a Religion propagated it self by the great encrease of its followers, except in some infectious Intervals of time, as I may call them.

Thus tho the *Obsarvator* on the *Bills* of Mortality hath taught us as aforesaid that every Marriage with another produceth four Children, yet in times of *Pestilence* (we are told by him) that the *Christnings decrease*, and that a *Disposition in the Air toward the Plague doth also dispose Women to Abortion*, and considering this, we may well infer, when the *Burials* do much exceed the *Births* in any City *reverâ* (and not seemingly, by the not Registring all the Births) that tho the *Bills* of Mortality tell us that there dyed then none of the Plague, and that there were then *Parishes* infected with the Plague *none*, yet there is then a *Pestilence* there Reigning. And thus is it a *Pestilential* time with a Church, when more Apostatise from it then are born or as I may say regenerated into it, or converted; and therefore by such *times* we are not to estimate the encrease of the propagation of the Numbers of the Church of *England*.

There was a time in Queen *Elizabeth's* Reign that the Reformation was honour'd by all *Englands* populace, being of a piece almost, and worshiping God in the way prescribed *with one heart and one mind*: and then as we are told by Sir Ro. Cotton, p. 42. and 43. Of his considerations for repressing the encrease of Papists, till the 11th of her Reign, a Recusants name was scarce known, &c. the name of a Papist smelt rank even in their own Nostrils, and for pure shame to be accounted such, they resorted duly to our Churches: but when they saw their great Coriphæus Sanders had slyly pinn'd the Name of Puritans on the Sleeves of Protestants that encountred them with most courage and perceived that the word was pleasing to some of our own side, &c. That (saith he) brought plenty of water to the Popes Mill, and there will most Men grind where they see appearance to be well serv'd.

But the accidental encrease of their Numbers in any *Conjuncture* was carefully regarded by the State, and to this purpose we are told it in *Heywood Townsends* Collections, that Dr. Bennet acquainted the House of Commons that there were 1500 Recusants in Yorkshire, which he vouched upon his Credit

Credit were presented in the Ecclesiastical Court, and before the Council at York.

Popery it seems then gain'd ground in the poor *North*, having lost it in the warm *South*, and to this day in the Northern parts of *England* where the *Living*s generally are poor, the light of the Gospel hath not quite dissipated the Mists of Popery, in so much that if any one shall tell me that the *Province* of *York* which bears but a 6th part of the Taxes, and hath not in it much above a 6th part of the people that the *Province* of *Canterbury* hath, yet contains at least the half of the number of Papists that the *Province* of *Canterbury* doth, I shall not contradict his Estimate.

It is the Observation of Dr. *Fuller* in his *Church History* of the part of *England*, *Trent North*, that 'tis scarce a third of *England* in ground, but almost the half thereof for the growth of *Recusants* therein.

And thus as the *Observer* on the *Bills of Mortality* hath observed that *Northern* as well as *Southern Countries* are infected with great *Plagues*, altho in the *Southern Countries* they are more vehement and do begin and end more suddenly, it may be said that the infection of Popery doth yet continue in our Northern parts.

But that the Papists valued themselves on their numbers throughout *England*, toward the latter end of *Queen Elizabeth's* Reign, appears out of that *Pestilential Book* of *Father Parsons* about the *Succession*, part. 2d, where he weighs the several parties of *England* in the Ballance of State, and saith, *It is well known that in the Realm of England at this day there are three different and opposite Bodies of Religion, that are of most bulk and do carry most sway and power which three Bodies are commonly known by the Names of Protestant, Puritans and Papists: and afterward speaking of the Great Power of the Protestant Party for wealth and force. He saith p. 140. A chief Member of the Protestant Body is the Clergy of England, especially the Bishops and the other Men in Ecclesiastical Dignities which are like to be a great back to this Party at that day, &c.* meaning the time after the death of *Queen Elizabeth*, when her Successor should enter on the Stage: and then having weighed the *Puritan Party* and its interest, he saith, *The third Body of Religion which are those of the Roman who call themselves Catholics, which is the least in shew at this present by reason of the Laws and Tides of the time that run against them, yet are they of no small consideration in this Affair to him that weighs things indifferently, and this in respect as well of their Party at home as their friends abroad: for at home they being of two sorts as the World knows, the one more open that discover themselves, which are the Recusants, and the other more close and privy that accommodate themselves to all external proceedings of the time and State, so as they cannot be known or at leastwise not much touch'd, we may imagine that their Number is not small throughout the Realm, &c.*

The Vigour of the hopes that Popery had in that *Conjuncture* appears out of that great *Historical Letter* of *D' Ossat* to his *King*, Anno 1601, where he makes such a judicious abstract of this goodly *Book of Parsons* (for so he calls it *Ce beau livre*) and *Animadversions* on it, and saith, *'Tis about four years ago that the Pope did Create in England a certain Arcipreste to the end that all Ecclesiasticks and Catholics of the Realm should have one to whom to go and have recourse about the things relating to the Catholick Religion, and by means thereof to be united among themselves, and to understand what shall be good to be done for their preservation and the re-establishment of the Catholick Religion, and some have given his Holiness to understand that by that means he would make a great Party of the Catholics in England for what he would effect, and then acquaints the King, That the Pope had sent three Briefs to his*

his Nuntio in the Low-Countreys for him to keep till the death of Queen Elizabeth, and after that to send them to England, one to the Ecclesiasticks, another to the Nobility, and another to the third Estate; by which the said three Estates are admonished and exhorted by his Holiness to remain united together to receive a Catholick King that his Holiness shall name, and such a one who shall appear acceptable to them and honourable, and all this for the Honour and Glory of God, and for the restoring the Catholick Religion, &c.

Here was it seems one Brief more sent to England then Mr. Marvel mentions in his Growth of Popery, where he saith, *That the Pope sent two Briefs in order to exclude King James from the Succession to the Crown.*

In fine, Popery was in a Storm during the Reign of Queen Elizabeth, and in it the Papists were sometimes carried up to the Skyes, and then down again, and in their Enterprizes with variety of success in some conjunctures, their fortune was to reel to and fro and stagger like a drunken man; and as in a Storm many hands are necessary, so on the whole matter they found need of the numbers of more hands then they could command, and their Numbers decreased in the ballance of the people here, as much by the King of Spains Ambition, as did the numbers of the Papists in the United Provinces thereby.

And as they look'd big on the account of their numbers in the latter end of Queen Elizabeth's Reign, so they did in the beginning of King James's: and as D' Ossat said in that Letter to Villeroy of April 2d, 1603. *You will find that the Spaniards who are most troubled about this Event (meaning of the Succession) will be the first to Congratulate the King of Scotland, so it happen'd here with the Papists, as appears by a Book in 4to, Printed for Joseph Barnes at Oxford, Anno 1604 called, A Consideration of the Papists Reasons of State and Religion for toleration of Popery in England, intimated in their supplication to the Kings Majesty and the States of the present Parliament, where in their Supplication at large Printed they in the beginning thereof in a profession too as inauspicious as was possibly, say that His Majesties direct Title to the Imperial Crown of the Realm both by Lineal Descent and Priority of Blood, and your Highness most quiet access to the same do exceedingly possess and englad our hearts.*

The Tide of the Succession against which they had striven was made by Fate to run smooth and clear, and they were resolved to appear on the Surface of it with a *nos poma natamus*.

Gabriel Powel of St. Maryhall in Oxford, the Publisher of that Book saith in his Animadversion on the said beginning of that supplication, *How can Papists without blushing acknowledge his Majesties Title to the Crown of England to be direct, seeing they have heretofore most indirectly and most unjustly oppugned the same; which Traiterous Parsons confesseth albeit for excuse, he assureth himself that whatsoever hath been said, writ or done by any Catholick against his Majesty which with some others might breed disgust, hath been directed to this end, to make his Majesty first a Catholick and then our King, as if Treason and Treachery against his Highness could make him a Catholick, and impugning of his direct and just Title, tended to make him King.* Rob. Parsons in his Treatise of three Conversions in the dedicat. Addition to the Catholicks.

But tho they gave themselves (as it were) an Act of Oblivion as to the many Treasons of Parsons his Book of the Succession, yet in this supplication they forgot not again in effect to use Parsons his division of the people of England into three parts, and so to shape the Estimates of their Numbers: and they say in their first reason of State, *the World knows that there are three Kinds of Subjects in the Realm, the Protestant, the Puritan and the Catholicks affected*

affected, and by general report the subject Catholickly affected is not inferiour to the Protestant, or Puritan either in number or alliance, &c. And saith Powel in his Notes on that Clause, *If by Catholickly affected you mean plainly Papists, the World knows that in comparison of the Protestants they are but as it were a handful of Thieves among honest Subjects, however you are bold to brag that at this present there are within the Realm more Catholicks and Catholick Priests then there were forty years since. Math. Kellison in his Survey in the Epist. dedic. almost at the latter end.*

They afterward in their *Supplication* use the word *Catholickly affected* to make it comprehensive of both parts of *Parsons* his distinction of Papists, more open, and close, and therein have the honour of the *Invention* of the *Phrase* of *Popishly affected*, that hath so much gall'd them since, and at this day continues to do : and I shall accord with them that the Number of *Papists* or of *Popishly affected* was apparently grown great in the *junction* of time, after King James came here to the Crown : but 'tis not deniable that after the *Epoche* of the *Gun-powder-Treason*, it did more sensibly decrease; for they cannot say that by the intended blow from the *Gun powder*, they designed to make him *Catholick* in order to make him continue a *King*.

The *Dean* of *Bangor* in his excellent *Sermon* in *Print*, and Preached at *St. Martins* on the 5th of *November*, 1678. Speaking, p. 29, of the *Conspirators* in the *Gun-powder-Treason* saith judiciously, *For the Number I believe the design it self was known to few, but that there was a design was known to many more. King James himself tells us so in his works, p. 291. A great number of my Popish Subjects of all Ranks and Sorts both Men and Women as well within as without the Country, had a confused Notion and obscure knowledge that some great thing was to be done in that Parliament for the Weal of the Church, tho for Secresies sake they were not to be acquainted with the particulars.*

And no doubt but that great Number took occasion to slip their Necks out of the Collar of *Misprision of Religion* as well as of *Treason* thereupon, and a vast encrease of the Numbers of the Protestants was thereby occasioned. But there afterward appeared another *Conjuncture* of time in which the *Catholickly affected* did in his Reign multiply, in the which however *implicit faith* could never come so much in fashion but that (as *Gondomar* observed in the Kings Chappel) *when ever the Preacher quoted Texts of Scripture, the Auditors would immediately turn to their Bibles to find them.*

Mr. *Pryn* saith in his *Introduction to the Archbishop of Canterbury's Tryal*, p. 13. *That the number of Priests and Popish Recusants enlarged out of Dureffs by King James, if we may believe Gondomars Letter from hence to the King of Spain, or the Letter of Serica that Kings Secretary, Dated from Madrid, July 7th, 1622, to Mr. Cottington was no less then 4000. He had before in p. 10. and 12. set down the Petition and Remonstrance intended to be sent to King James by the House of Commons in December 1621, where among other things 'tis said, That the Popish Recusants were then dangerously encreased in their Numbers, and complaint is made of the swarm of Priests and Jesuites dispersed in all parts of the Kingdom.*

'Tis probable that not many Papists except Priests were then imprison'd, and it may be conceived that the Number of Priests who escaped the Net of Imprisonment was more then double to that which was took therein, and that the Number of Lay-Papists was very growing in that *Conjuncture*.

Mr. *John Gee's* Book of the *Foot out of the Snare* of the 4th Edition Printed in *London*, 1624. mentions the Names of many Romish Priests

and Jesuites resident about *London* in that year, and begins with the Bishop of *Chalcedon*, and shortly after him mentions *Collington* the Titular Arch-Deacon of *London*, and *Wright* Treasurer for the Jesuites, and *Smith* Vicar-General for the South parts of *England*, and *Broughton* Vicar-General for the North parts of *England*, and *Bennet* Vicar-General for the West parts of *England*, and the whole Number of them there named together with the places of their Lodging, is two hundred sixty one: and the number of the Jesuites out of that Total is 72. Moreover out of that Total he mentions only 3 as having been formerly in Prison in *England*, and but one who was at that time in Prison. At the end of the Catalogue of the Priests there he saith, *These be all the Birds of this feather which have come to my Eye or Knowledge by Name, &c.* yet above four times so many there are that overspread our Thickets through *England* as appears by the empty Nests beyond Sea, from whence they have flown by Shoals of late, I mean the Seminary Colledges which have deeply disgorged by several Missions of them, as also is gathered by particular Computation of their divided Troops: when as in one Shire where I have abode sometime they are reputed to nestle almost three hundred of this Brood.

In the following Pages he there Prints a Catalogue of Popish Physicians in, and about the City of *London*, and makes the Number of them 27; and no doubt but that in that Conjunction of time the number of Papists encreasing, there were enow Patients of that persuasion to afford Livelyhoods to so many Physicians.

In that Book immediately after p. 116. he Prints a Catalogue of such English Books that he knew of to have been Printed, reprinted or dispers'd by the Priests and their Agents in *England* within two years last past or thereabout, viz. 156.

So fortunate was that Conjunction to the Papists then that the odious Name of *Puritan* was bestowed on any of the Magistrates that went to put any Laws in execution against Popery, as we find it from Sir R. Cotton in his *Serious Considerations for repressing of the encrease of Jesuites, Priests, and Papists without shedding of blood*, p. 33. his words there are, *There is no small Number that stand doubtful whether it be a grateful work to cross Popery or that it may be done safely without a foul aspersion of Puritanisme, or a shrew'd turn for their labour at some times or other, &c.*

In the Petition and Remonstrance of the House of Commons in December 1621 before mentioned, among the Causes of the growing mischiefs here the fifth Paragraph assigns one what would make Popery very prolific with Profelytes here, viz. *The strange Confederacy of the Princes of the Popish Religion aiming mainly at the advancement of theirs and subverting ours, &c.* and another is assigned in the 6th Paragraph, viz. *The great and many Armies raised and maintained at the Charge of the King of Spain, the chief of that League, and another in §. 8th, The interposing of Forraign Princes and their Agents in the behalf of Popish Recusants for Connivance and Favours to them.*

But in fine, in King James his Reign, the gross of the Number of the Protestants was generally reckoned to be ten times greater then the Papists, the which is hinted in the *Posthuma* of Cotton who then said, *To what purpose shews it to muster the Names of the Protestants, and to vaunt them to be ten for one of the Roman Faction.*

In the Reign of the Royal Martyr their Numbers decreased faster in many active Conjunctions of time then they encreased in any lazy one. The Author of the *Regal Apology*, and supposed to be Doctor Bate the Physician saith in p. 39. *It is well known there are not 24000 Papists Convicted*

ed in all England and Wales: And if we should suppose the Number of the Papists then not Convicted to be double to that of the Convicted, yet would such their number appear considerably dwindled from what it was swoln to in any *Conjuncture* before in King James's Reign. And I believe if our Civil Wars had not happen'd, one *Canon* even of the *Convocation* of 1640, as ill as that *Convocation* heard among many, I mean the third *Canon* would have effected the extermination of Popery from England in the Reign of the Royal Martyr.

The Title of the *Canon* is for *Suppressing of the growth of Popery*. No doubt but a little before that time Popery did again *lift up his head* as if its *Redemption* were to draw nigh in Ireland and England, and therefore the *Convocation* then with great conduct and skill did lead up our Ecclesiastical *Hierarchy* to confront its growth: and I do not remember to have found that Phrase of the *growth of Popery* (which has in later days so filled our Mouths) used in any *Author* before the writing of that *Canon*: and do think that all the *Committees* that have been appointed to prevent the *growth of Popery*, or Books of that Subject have not produced to the World any means or expedient so likely to make Popery have done growing here, as is the excellent *Scheme* for that purpose drawn in that *Canon*, and which when ever it shall be with vigour executed will make our fears grow out of fashion either of the number of the Arguments of the Papists, or of the Argument of their Numbers.

That since the Restoration of our King and Laws, and of the discipline of our Church, a *Conjuncture* hap'n'd that made the barren Womb of Popery here fruitful of Numbers none will deny, who consider how all our great *Divines* of the Church of England did so lately *lift up their voices like a Trumpet* against it, as I before observed.

In the account of the Numbers of the persuasions in Religion in the *Province of Canterbury* that Dr. *Glanville* said he had seen, and which is contained in a Sheet of Paper, among the nine Preliminary *Observations*, the first is, *That many left the Church upon the late indulgence who before did frequent it.*

I believe by the many there are meant those that *veer'd* toward Popery, and I suppose that few had for several precedent years repaired thither from fear of the Penal Laws.

We have a *Remark* given us by that *Learned States-man* and Noble Confessor of the Church of England, the *Earl of Clarendon* in his judicious *Animadversions* printed Anno 1673, on *Cressy's* Book against Dr. *Stillingfleet*, *That the rude and boisterous behaviour of some of the Roman Catholicks here disturbed the happy Calm they all enjoyed, and the vanity and folly of others made that ill use of the Kings bounty and generosity toward them, that they endeavoured to make it believ'd that it proceeded not from Charity and Compassion toward their persons, but from affection to their Religion, and took upon them to reproach the Church of England and all who adhered to it, as if they had been in a condition as well as a disposition to oppress it, and to affront and discountenance all who would adhere to it, and so alienated the affections of those who desired they should not be disquieted and kindled a jealousy in others, who had believed that they were willing to attempt it, and had more power to compass it then was discerned, &c. and this mischief the wisest and soberest Catholicks of England have long foreseen, would be the effect of that petulant and unruly Spirit that sway'd too much among them, and did all they could to restrain it, &c.* And afterward saith, *As if they could subdue the whole Kingdom and so care not whom they provoke.*

A friend of mine in the Kings Loyal long Parliament wrote to me for News after one of their Sessions, that the *Speaker* of the House of Commons, Mr. *Seymour* opening according to the customary manner in a publick Speech to his Majesty in the House of Lords, the nature of the *Bills* then ready for the Royal Assent, spake thus concerning that sharp one that will forever here cut Popery to the quick, viz. *And for the severity of this Bill to the Papists, they may thank their own petulant insolence.*

The word *petulant* being very significant, and importing *sawcy, malepert, impudent, reproachful, ready to do wrong*, one would suppose that those two great observing persons would not apply it to any body of men without just occasion.

It seems the House of Commons at their next Session in an *Address* to the King, *October 31. 1673.* had this Clause, *That for another age at the least this Kingdom will be under continual apprehensions of the growth of Popery, and the danger of the Protestant Religion*, and in an *Address* to his Majesty, *November the 3d, 1673.* Speaking of the Popish Recusants, they have these words, *whose numbers and insolencies are greatly of late encreased, &c.*

It was then high time for that Great Minister of the King, the *Earl of Danby* when he saw that of all Dissenters chiefly the Popish ones had fascinated so many with a belief of their Numbers, to cause that great enquiry into them to be made, and it was his fortune by the very enquiry to strip the Papists of many of their valued number, for the very next observation to that I before mentioned is this, *The sending forth these Enquiries has caused many to frequent the Church.*

Alsted in his *Chronology* ventures to say, p. 112. *David ex mera πολυπαραγμοσύνῃ numerat populum*, and the thing perhaps done with an ill intent was punish'd with a Plague from God: but the Fact of our Noble and Profound States-man did abate the Plague of the late *Conjuncture* of pragmatistical insolence, and too the Plague of the fear of Papists that was then so epidemical among Protestants, and did in effect console us as with the words of *Elisha*, viz. *Fear not for they that be with us are more then they that be with them*: and indeed the numbering of people in the Bills of Mortality who dye of the Plague is not more necessary to the State, then is the numbring of the Souls infected in any *Conjuncture* with destructive opinions, and the omission thereof in a publick Minister when ever it should be as necessary as at that time it was, would appear in him a *Lethargy* that would be as Penal as a Plague to a Kingdom.

That useful undertaking of his Lordship as it was worthy of his very great abilities, and vigilance for the publick, so was it of the great power he had in the Government, and could not have been conducted so far as it was by any private persons: the Book called *Popery absolutely destructive to Monarchy*, printed in *London* in the year 1673. shews the danger of ordinary Magistrates intermeddling with the numbers of Papists in particular Parishes, by instancing p. 115. how when the long Parliament was first call'd, Justice Howard was ordered to deliver up a Catalogue of all Recusants within the Liberties of Westminster, to prevent which Mr. John James a Zealous Popist stabb'd the Justice in Westminster-hall: and Sir George Wharton in his *Gesta Britannorum* saith Anno 1640. November 21. Justice Howard assaulted and stabb'd in Westminster-hall. It seems that Justice of Peace as well as Justice Godfry found what it was to anger St. Peter, and so has that Noble Earl done (I believe) by some Papists murdering his reputation and shamming the Blood of Godfry on him in vallanous Pamphlets, of which I hear

hear that 32000 were dispersed in one Week, and that it appeared at an *Honourable Committee* that no inconsiderable quantity of them was dispersed by *Celier*.

'Tis probable that the time that was taken for discovering the number both of Papists and other Dissenters was most proper, in regard that the Declaration of Indulgence visiting them as with a Sun-shine after the Rain, invited them out of their Recesses to appear abroad visibly, and as the words of the Scripture in another sense are, *To move out of their holes like Worms of the Earth*. And as if any man would give himself the trouble to essay the numbring of the Worms that are in the Earth, the properest time for that his affected Curiosity would be after the Rain making the earth soft, and the Sun then warming it had invited those Animals to come out of the Earth, the which lye within a few Foot of the Surface of it; so for the above reason was the investigation of the numbers of the Papists most properly timed.

I am therefore of opinion with the aforesaid Dr. *That the number of the Papists was near the matter retain'd with truth*, and that their number is still waining and will be so more and more, but in some accidental Conjectures of time.

A late Author hath publish'd it, *That in England in these twenty years last past 250 Families of the Gentry and 12 of the Nobility have quitted the profession of Popery*.

And if any one shall affirm, as some considerate Papists have done, that the number here of secret Papists and who go not to Mass is as great as the number of the professed ones, I shall say that the number of the people of *England* having been in this Discourse represented so much greater then it was in former Estimates, the number of secret Papists cast into that of the known ones will perhaps signifie little more then the dust in the Ballance of the Nation.

Their Numbers that did somewhat encrease in the beginning of the Conjecture of their *petulant Insolence* that went before the time of the Popish Plot, as the Purples, Small-pox and other Malignant Diseases fore-run the Plague, did sensibly and suddenly decay by the change of the Air, that the Loyal long Parliament and its *Act of the Test* made, just as the *Observer* of the Bills of Mortality hath let us see that by the reason of the changes and dispositions in the Air, the Plague doth by sudden Jumps start back in a very few days time from vast numbers to very small ones: inso-much that presently after the breaking out of the Plot they took the advantage of the detection of the paucity of their Numbers, that the *Earl of Danby's* aforesaid Prudence had made, as thence to raise an Argument *ab impossibili* that they should design a Plot to turn the Tide of Nature in the Nation.

And thus as Men once pass'd the valuing themselves on the Charms and Vigour of Youth, do it for the Reverence of their Old Age, and hope to be the better treated as Guests in the World for the shortness of the time they are to stay in it, they did resemblingly too look big upon the smallness of their Numbers. The Author therefore of the *Compendium* printed Anno 1679 tells us, *à propos* p. 85, *That there are not 50000 of the Roman Catholick Religion in England, Men, Women and Children*, and that agrees well enough with the *Surveys* of the Numbers of those of that Religion in the Province of *Canterbury* of the Age of Communicants; and admitting the Total of such to be doubled on the account of *Papists* below the Age of *Sixteen*, an account that ought to be admitted, the *Observer* on the Bills of Mortality having taught us (as aforesaid) that there are in nature about as many under the Age of 16, as above it, and with the making the Total of all the Papists in the Province of *York*, according to *Fuller*,

equal to that in the Province of *Canterbury*, the number of the Papists throughout *England* will appear to be probably near what the *Author* of the *Compendium* hath estimated.

That their Numbers did considerably decrease after the fermentation in peoples minds relating to Religion followed the *Declaration of Indulgence*, and after the severity of the Parliament to Papists thereby occasion'd, a convincing Argument may be had from the *Letters* of Mr. Coleman, the which did confute several imputations of it in Mr. Marvel's *Growth of Popery* to the King's Ministers, better than any *Apologies* could have done, and has enabled Fame to Trumpet them forth to Posterity as *Confessors*, whom Envy here whisper'd to be *Traditors*; and let the present Age see that their alledged *Closing* with Popery, was but in the way of contending *Wrestlers*, and not of friendly *Embracers*: And no doubt then but the many Dependants and Followers those Ministers had, and the Candidates for their favour and expectants of Offices thereby, were then Enemies to all implicit Faith, but only for what they thought the Religion of their *Chiefs*.

In his *Letter to le Cheefe* of September 29, 1675, He saith, *That the Lord Treasurer, Lord Keeper, and Duke of Lauderdale were become as fierce Apostles and as Zealous for Protestant Religion and against Popery, as ever my Lord Arlington was before them, and in pursuance thereof perswaded the King to issue out those severe Orders and Proclamations against Catholicks, which came out in February last, by which they did as much as in them lay to extirpate all Catholicks and Catholick Religion out of the Kingdom.* And he in his *Letter to the Internuntio* of the 5th of February 1674, tells him, *That the King had sign'd a Proclamation last Wednesday to banish all the Priests, Natives of this Kingdom, to forbid all Subjects to hear Mass in the Queens Chappel, and at the Houses of Ambassadors, to bring home all the Youth that is now out of the Kingdom in any Popish Colledges, to prosecute all Persons, as to their Estates, according to the Laws, which are so insupportable, that 'tis impossible for any that is reach'd by them to have wherewithal to eat Bread, if they be executed according to the said Proclamation.*

It was but about October 1673, that the House of Commons in an *Address* to the King, took occasion to say, *It is now more then one Age that the Subjects have lived in continual apprehensions of the encrease of Popery, and the decay of the Protestant Religion*; but what Mr. Coleman's apprehensions were of the *Growth of Popery* on the 5th of February 1674, I have shewn before, and am of opinion, That though possibly in the following course of time to the birth of the Popish Plot, the coming of many *Romish Missionaries* here might make some accession to the Number of the Papists, that however the Laity of them, here Inhabitants, hath in its Numbers sensibly decreased, and will do so more and more, till the most timid Protestants shall be no more aggrieved at their Number, then of that of the *Muggletonians*, or of the *Sweet Singers of Israel*.

That the discovery of the Popish Plot hath had a natural Tendency to the abating the Number of their perswasion, must be granted by all who believe there was one, and who know that the blustering attempts of the Conspirators to subvert the Protestant Religion, and which have therein failed, must end in the better settlement of it, as all Storms that do not overthrow a Tree confirm its growth.

Mr. Care in his *History of the Popish Plot*, mentions, *That the Jesuites and Seminary Priests in England at the time of the Plot were about 1800, a Number far inferior to that in the Conjunction in King James's time before mention'd*: And short of the Number mention'd by Prynne in a Book of

of his, Printed Anno 1659, called *A True and Perfect Narrative of what was done, spoken by and between Mr. Prynne, the old and new forcibly Secluded Members, and those now sitting, &c.* where he saith, p. 44, *That an English Lord return'd from Rome about four years since averr'd, that the Provincial of the English Jesuites, when he went to see the Colledge in Rome, assured him, That they had then above 1500 of their Society of Jesuites in England able to work in several Professions and Trades which they had there taken upon them, the better to Support and Secure themselves from being discovered, and infuse their Principles into the vulgar People.*

Mr. Coleman complains of a *Conjuncture* as to Popery that he writ in, that *tho the Harvest was great, the Labourers were very few*; but Mr. Prynne supposeth the *Labouring Jesuites* who wrought in the Trade of Religion, and in other Trades too, were here after the year 50 above 1500; and it may therefore be well conceived that there were many Jesuites here beside who could only manage their Tools in the former Trade, and perhaps as many Seminary Priests as Jesuites; And no doubt without some hint of notification from some one of the *Jesuits Provincials*, their Number in any Protestant State can hardly be conjectured, in regard of their *Proteus-like* varying their Shapes, accordingly as a Description of them is given in the Book called, *The Emperor and the Empire betray'd*, where 'tis said, *There are in the Society of Jesus Men of several sorts, some of which are dispens'd with not only to lay aside the Habit, but to marry and bear all sorts of Dignities*; and he further presumes to say, *That the Emperor was thus in this Order in his younger days.*

Mr. Prynne in p. 42. of that Book avers, That *Oliver Cromwel* declared to his Parliament Anno 1654, *That the Emissaries of the Jesuites then came over in great swarms, and that they had then fixed in England an Episcopal Power, with Arch-Deacons and other Persons to pervert the People*: a thing they never since the Reformation, I think, attempted in any *Conjuncture* till *Quarto Caroli*, and then (as appears out of *Rushworth's Collections*) in a Conference between the Lords and Commons, and managed by Secretary Cook, he said, *There was at that time a Popish Hierarchy established in England, that they had a Bishop Consecrated by the Pope, and that Bishop had his subalternate Officers of all kinds, as Vicars General, Arch-Deacons, Rural Deans, Apparitors, and that they were not Nominal or Titular Officers only, but they all Executed their Jurisdictions, and made their ordinary Visitations throughout the Kingdom, kept Courts, and determin'd Ecclesiastical Causes.*

But it appears not that they had any such *Hierarchy* here at the time of the *Plot*, or that they have any thing like it at this time in this Realm.

Mr. Prynne tells us in p. 49. of that Book, That in that *Conjuncture* in *Cromwel's* time above 30000 *Popish Pamphlets* were permitted to be Printed and Vended in England, and that of this the London Stationers complain'd in Print.

But 'tis very little that they have Printed here since the King's Restoration, and the same private Presses which gave Birth to the few Pamphlets they printed, would have done it to as many Volumes as ever *Tostatus*, as Mr. Prynne writ, if they had pleased.

The great Number of the Protestants must still be naturally attractive of the lesser to it, for the preservation of their Persons, tho at the price of the diminution of their Numbers, as a drop is best preserved in the Sea, tho it be there swallowed up. This Notion is well confirm'd by *Edmund Spencer* in his Observations of the *History of Ireland* in former times, where he shews in what course of time a handful of *English*, planted among the
Numerous

Numerous *Irish* must of necessity become *Irish*, as indeed his own Family there did, as I am told, and that *Cromwel* speaking to the Grand-child of *Spencer* in *English*, that on the account of the Fame of his Ancestor he should enjoy his Estate, was not by him understood.

And there is no doubt but time will illuminate the Papists as to the Pope's *Politicks* being inconvenient to them, and only convenient to himself: For the same Principle in *Politicks* that makes every lesser State have a regret against being United to a greater, namely, for fear of its being absorbed thereby (a Notion lately in vogue when the Union of *England* and *Scotland* was agitated) engageth the *Pope* to keep the Papists from a *Coalition* with the Protestants here, that would drown the visibility of their Numbers, and consequently the appearance of the Numbers of his Subjects in this Realm, for so in effect they are.

The true Cause therefore in Nature that made the Pope by his *Bull* in Queen *Elizabeth's* time prohibit the *Papists* from continuing to come to our Churches, and to our *Common-Prayer*, a thing they would else still have done, was the Pope's being enabled by such *Prohibitions* to put *Marks* on his Sheep whereby to know them, and their *Numbers*: And which had he forborn, there had probably been no Number of them returnable in the Bishops *Survey*.

'Tis therefore not to be wondred that our Church got nothing but the destruction of its Hierarchy in the last Age, by the Policy used then by some of our well-meaning Church-men, who thought that the use of some Ceremonies more than our Law required would have brought the Church of *Rome* over to us. 'Tis aut *Cæsar* aut *Nullus* that the Pope would be; and he will here keep as many Subjects as he can, since not able to acquire as many as he would. And the truth is, as the attempt of an excellent Swimmer to save one totally inexpert therein usually proves fatal, so likely will the generous and charitable design of a Church of a rational Discipline interposing to save one of an irrational, and that can do nothing by vigour of reason to bear up it self, and is therefore meer *dead weight*.

Since the *Epoche* of the Popish Plot that the Press has been to all writing Mankind so much unrestrain'd, the World hath seen little of the *Papists* Learned Writings, or scarce any thing writ with Art and Wit, except the *Compendium*, and instead of proving in Volumes that the Church of *England* is no true Church, or that *St. Peter* was ever at *Rome*, they have extended all the *Nerves* of their Wit in Pamphlets, only to prove that Doctor *Oates* is no true Doctor, and that he was never at *Salamanca*.

And I believe that as the asserting of Popery here, *per viam Thomæ*, (or in the way of the *Schools*) is in the Course of Nature Eternally over, so will the adorning it by the way of Curiosity of Wit or Fancy grow obsolete.

But here it is proper to be observed, that in all the *Conjunctures* before-mention'd, and in those wherein our former Protestant Princes for deep reason of State have been most favourable to their Popish Subjects by the Relaxation of the Penal Laws, and when some Papists made great Figures in the Court, and got the Ballance of Court-preferment a while by stealth into their hands, and that *Holy Church* being anew *Whiten'd* over with some temporary Prosperity, many Proselytes did *Flock to it as Doves to their Windows*, yet the Ground that Popery got then was but *Made Ground* and not natural, and was too chargeable to be kept. And as the vulgar have falsly imagined that a great Plague has happen'd in the beginning of every Princes Reign, so has it been obvious to the more refined observers, that in the Reign of every new Protestant Prince, Popery has made a fresh

essay

essay to augment it self in the *Epocha* of a new *Conjuncture*. And that as in the most Pestilential times of Mortality, even in our *Metropolis*, almost only the poorer sort of People are swept away by it, Thus was it too in in those *Conjunctures* here, when Popery boasted of its many Converts.

But *Nemo decipit lumbos*, and Popery when pamper'd, did but Counterfeit a sound strength, and as *Quintilian's* words are, *Verum robur inani saginâ mentiri*, and was but in bad travelling Case by that washy adventitious flesh, and soon tired in its furious Race; while Protestantism had that permanent Motion which Dr. Jackson on the Creed supposeth the Heavens would have if God should move them in an instant, and which if he did, were (he saith) more properly to be called *A vigorous permanency*, alluding perhaps to things seeming to stand still when they move fastest. Dr. Twisse in answer to him doth to the Expression of a *Permanent Motion*, with a mirth and raillery unusual in him, apply that Verse of a Poet whose Horse being tired, and not moveable by the Spur, said to his fellow Traveller, who Rein'd in his Horse to go easily; *Tour Horse stands still faster then mine will go*. And thus (raillery apart) I do believe that Protestantism will stand still faster than Popery can go, let it be never so high mounted. And we may properly resemble the course of Protestantism in any *Conjuncture* to the Sun, which enjoys its Natural Motion at the same time it suffers its Forced, and according to Mr. Cowley's Expression doth at the same time *run the day and walk the year*.

And we may as properly resemble the height and greatness of Popery in any former *Conjuncture*, and the greatness of Peoples tears of its Growth and Continuance to the dreadful Entrance and dull Exit of a Comet.

Many Comets have hung over our heads, and lasted some considerable time, that were bigger than the *Globe* of the Earth, which as they appear'd on a sudden, so hath that great Mass of Matter, of which they consisted, and which threat'ned destruction to the Earth, by little and little dwindled to nothing, or disappear'd. And this hath been the Event of the Growth of Popery, and over-growth of its Fears here, and I believe will be in any *Conjuncture* that can come.

I believe that if such an extremely improbable thing should ever happen, as that the Legislative Power should allow the Papists a publick place for their Devotion in every great City in *England*, the very sight of their Ceremonies would encrease and sharpen the Popular aversion against their Church.

Du Fresnes in his Learned *Glossary* in three Tomes, as to the *Scriptores mediæ & infimæ Latinitatis*, mentions the origination of the use and name of the Surplice, and quotes *Durand in Ration. lib. 3. c. 1. n. 10. 11.* for it, viz. *Eo quod antiquitus super tunicas pelliceas de pellibus mortuorum animalium factas induebatur, quod adhuc in quibusdam Ecclesiis observatur*: And cites many Authorities about its being used by the Clergy; and while the Antient Monks lived upon the labour of their hands, and wore such Leathern Clothes as labouring Rusticks in the Towns with whom they wrought, it was but a necessary piece of decency when they retired to their *Oratories* to Worship God together, to have that covering of Linnen that might hide the sordidness of their Clothes, and so probably that Linnen Surplice appearing in it self decent, and carrying with it more respect from the just Reverence those Innocent Ancient Monks attracted, it came by that means first in fashion in the Church to be worn by the better habited Priests, and being here enjoyn'd by the Laws of our Sovereign, and therein declared to be a thing not in its own nature necessary, it seems to me to

be an uncivil humour in our *Dissenters* so much to quarrel the use of it; and do suppose that the Civility of the *French* Nation appearing in the Protestants of that Realm, who are here, and to whom it is natural not only to comply with Princes but even their fellow Subjects in the use of all Ceremonies they expect to be treated with, may instill such a humour of *Complaisance* into some of those here who were aggrieved at our Churches, or, as I may say, our Kings Ceremonies, as all the Learned Books of our Divines have not yet done.

But if after the disuse of our Ceremonies in the late Usurpation the sight of a Surplice doth fright them so much from our Church, how would they be disgusted to see one with a shaven Crown, with his *Amice Girdle*, *Aube*, *Maniple*, *Stole*, *Chefible*, and other pretended holy Vestments, and see him use *Crossing*, *Turning*, *Ducking*, *Lifting*, *Whispering*, *Gaping*, *mingling of Wine and Water*, *Lickings*, and other variety of Gestures, and to hear Prayers in *Latine*, and to the Saints, and for the Dead, and to have our Bells Baptised, to have Vailes, Holy-Water, Holy-Ashes, Palms, &c.

Erasmus saith in his Epistles, p. 108. Ep. 10. *An hic sacrificulum illum malunt imitari qui suum mumpsimus quo fuerat viginti usus annos, mutare noluit, admonitus à quopiam sumpsimus esse legendum?* The Verse of Scripture in which he read that word, was *Josua* 9. 12. *En panes quando egressi sumus de Domibus nostris ut veniremus ad vos Calidos [Mumpsimus] nunc sicci facti sunt & vetustate nimia Comminuti*, no other Verse appearing to me by the Concordance of the *Vulgar Latine* to have *Sumpsimus* in it: And the folly of the Priest in so reading was so famous as to come to the knowledge of our *Harry the Eighth*, and to occasion his saying (as my Lord *Herbert* tells us) *Some of the Clergy are too stiff in their old Mumpsimus, others too curious in their new Sumpsimus.*

But that Verse in *Josua* was as unlucky and as ill boding a one to Popery for a Priest thus to signalize *en ridicule*, as any he could have found in Holy Writ, and carries in it self a revenge for its barbarous usage: For it naturally suggests to People that the *Antiquity* of the Doctrine of Popery is but a *Gibeonitish* or meer pretended one, and that even its *Transubstantiated* Bread is not brought from so far a Country as is pretended, and that it was no longer ago then *Anno 1212*, that *Innocent the Third* in the *Lateran* Council brought in *Transubstantiation* as an Article of Faith, and Decreed those to be *Exterminated* who did not believe it, And that Kings were to be compelled to *Exterminate* them, and that the Pope had power to depose Kings, an effectual way to put not only the nature of Things but Men on the Wrack, and then make them say they believe any thing.

But we having been used to the New *Sumpsimus* these hundred years, shall be so *Curious in it* as to make what is barbarous the object of our Mirth, as much as *Harry the Eighth* and *Erasmus* did, and the Novelty of Popery coming again here in the Masquerade of *Antiquity*, would appear as nauseous as would the mouldy Bread of the *Gibeonites* to the Men of *Israel*, if they had come to treat them with it a Second time.

From what hath been in this Historical way glanced at, concerning the gradual decreasing Popery here in the several past Conjunctions, we may without the *Amentia Prophetiæ* (as *Tertullian* calls it) say, That in any Conjunction that can hereafter come it will more and more decrease, and that under any new Prince Protestancy will be the Rising Sun, whose light will be then encreasing, and Popery acquire no more lustre then the short one of a *parelius*.

Doleman alias *Parsons* in his Book *Of the Succession*, publishing his thoughts how ponderous the Papists would be in the Ballance of State in the Conjunction

junction of time attending the next Successor, speaks thus, as if it were before him in Vision, *With these many others do joyn* ; Et omnes qui amaro animo sunt cum illis se conjungunt, as the Scripture saith of those that followed David's Retinue (1 Kings 12.) pursued by Saul and his Forces, which is to say, that all that be offended, grieved, or any way discontented with the present time, be they of what Religion they will, do easily joyn with these Men.

And when I consider how many there are, *qui amaro sunt animo*, by reason of their Condition being embitter'd by Poverty, and that it hath pursued them like an Armed Man, and is likely so to do ; when I consider that the Multitude of Free-Schools in the Kingdom, diverting the Education of the poorer sort of our Youth from useful laborious Trades, to the uselessly appearing Scholars and Gentlemen, or (according to the Dutch word) Idlemen, hath at last brought them but to fragments of knowledge and likewise of Bread, and tho wearing better Habits then their Ancestors, yet to be little better than Thiefs in a handsome disguise, robbing the World of their Labour, and its own quiet by their being Solicitors, Make-bates, Informers, proulers into the rights of other Mens Estates, Tamperers with Witnesses, Tales-men, Promoters of Office, Suers of others in the way of *qui tam*, &c. *quam*, &c. And when I consider what is so truly observ'd by the Author of *Britannia languens*, That of all other employments we have the greatest questing after Offices, that Men will almost give any thing, say any thing, do any thing for an Office, so that some Offices that were thought hardly worth the meddling with of late years, will now yield near Ten years Purchase for one Life ; And when I every where behold the torn Limbs of the Estates of so great a Party among us as may be call'd the *Luxuriants*, and who have sold the same Estates and Consciences three or four times over, and do likewise recollect the Number of all such Idle men, who have been observed of late years in Shoales so much to depopulate the Country to plant themselves about London, insomuch that tho according to the Observator of the Bills of Mortality there usually every year did come out of the Country to live in London but 6000, yet there dying within those Bills 17249 in the Tear 75, and 18732 in the Tear 76, and 19064 in the Tear 77, and 20678 in the Tear 78, wherein the Popish Plot was discovered, and 21730 in the Tear 79, whence according to the Rule of one in 30 Tearly dying, and there having dy'd gradually above a 1000 a year since the year 75 to the year 80 (altho all years of ordinary health) so the remaining part in London did thence appear gradually encreased proportionably, that is, as a 1000 dy'd each year more than other, so 29000 lived there each year more than in the other, and that there lived in the year 79 in London 120000 more than did in the year 75, and that many of these People having broke in the Country, through the Poverty that the Plot occasion'd, came to London to hide themselves and their shame : I say, when I consider all these things, I may well conclude that all these Indigents will be ready to hope for a Golden Age, and call any thing a Religion that will bring it them : And by a new shuffling of Religion will be indeed hoping for better Cards in this World.

Some of those who have been Trumpeters to the Puppet-Shows of little Enthusiastick Religions, and movers of the Wyres there, would if ever the great one of Popery should come on the Stage, be glad to be sharers or quarter sharers in it, and to be either Actors or Ministerial to them, and especially to be applauding Spectators when by the ill Poets of the Play, they shall be well paid to line the Pit Boxes, and Galleries to cry it up : and thus the Wit and Philosophy of a great Lady have been Celebrated in the Universities

Universities by Heads of Colledges, and lodged there in *Libraries* on the expectance of her being a Benefactress.

And if any *Tecelius* would come not as a sturdy *Pardon-Pedlar* as before to require Mony (the which thing then proved so destructive to Popery) but to distribute it, there would be enow to receive it; and among the *Indigents* for a while, according to the *Stylus curiæ Romanæ* in Mr. *Colemans* Letter of *March* the 12th 74, to the *Internuntio*, a little Mony, I say a very little will do.

But *Conclamatum est* as to the state of Religion it self as well as of the Power of any *Prince*, when men come to be bought by him either into Religion or Loyalty. The profusion of Money in the way of Legacies by any one, is a sign of his being near his end, and *Tacitus* therefore saith it not improperly of *Otho*, *Pecunias distribuit parce nec tanquam periturus*. And thus is any Princes Power and likewise Religion near expiring, when once he comes to buy of *Hydras* heads, as Mr. *Hobbs's* expression is in his *History of the Civil Wars*.

I know that it hath been the common practice of *Kings* to buy of *Demagogues*, and some of their *Ministers* have perhaps been apt to think that those who formerly were by their Artifices able to make the Disease of Sedition in the minds of the people, had likewise the greatest skill to cure it; in like manner as any *Doctor* of *Physick* who could make a *Quartan Ague*, or any other Disease, would be held in the greatest repute for ability to cure it, it being perhaps more easie to make a Disease then to cure it, as composition is more easie then Analysis and Multiplication then Division: but the too dear bought experience of Princes, hath seal'd the *Probatum est*, in this case of all popular *Wizards*, losing their power of charming, when they have been Captivated with Royal gifts, *Witches* according to the vulgar received opinion, being unable to hurt when they are in *Jayles*.

There is another *Notion* I descanted largely on before, and that overstocks the Market of expectants to be bought off, Namely, that all men naturally think themselves equally wise, and therefore as any Ship that sails faster then another, is in the Sea-phrase said to wrong it, so are men apt to think themselves wrongd by those who with Gales of Court preferment get beyond them.

Moreover tho the power of Gold be still what it always was namely the most ductile thing in nature next to degenerate Man made ductile by it; yet will any Prince be impoverish'd who buys Gold or Men of golden Abilities and great Parts too dear by Preferments and Donatives: for such *Donees* will be *Continuando-beggars*, and everlasting expectants of further Gifts; and their conversion either to a Princes Interest of State or Religion must be still nourished by the same thing it was made of; and therefore it was worthy the wisdom of *Solomon* to observe, *That he that oppresseth the Poor, and giveth Gifts to the Rich, shall surely come to want*.

And most certainly here, as in *France*, the Play of a Prince who shall use that Game to win Souls, will not be worth the sorry Candle of Conversion he shall light up; and the Conversion of *Sharppers* will be of such who will soon run away with the stake of their Souls they have laid down.

The *Fisherman* of *Rome* *St. Peter's* pretended Successor, can neither in *France*, nor here with a drag-net of Conversion, catch thousands of Souls at a draught, as *St. Peter* elsewhere did: but must Angle for every Convert, and that with a golden Hook, of which the value is more considerable to be lost, then is that of the Fish to be taken, and from which Hook too it can invisibly get off at pleasure.

A Prince of that Religion will have more occasion for the multiplying Miracle of the *Loaves*, then that of *Transubstantiation*; and the Multitude that follow his *Converters* for the former Miracle, will be apt as soon to leave him as they did our *Saviour* who followed him on that account.

The *Observator* on the *Bills of Mortality* shews us, that in *December 1672*. The *Protestants* in *Paris* were but as one to 65: and 'tis confessedly true on all hands, that the great Scene of the late *French Conversions* lies in *Paris*, and even there the present Ecclesiastical Policy is to *Attaque* the Fleet of the Hereticks, rather by Merchant men then by *Fire ships*. I have never heard of any *Bishops Survey* of the persuasions there relating to Religion; but in the *Index of Mersennus* his *Comment* on the first 6 *Chapters of Genesis*, I find it said; *Atheorum numerus Luteciæ*, p. 671. and *Athei in Galliâ, Germaniâ, Scotiâ, Poloniâ*, p. 673. I could find neither of those places in the body of the Book; but observe that in the Learned Fryars *Dedicatory Epistle* to *De Gondy* the *Archbishop of Paris*, he says, *Quibus addo te hujus urbis & orbis Parisiensis ut vigilantissimum Prælatum sapientissimè constitutum esse, in quâ sicut eximiam plurimorum virtutem atque pietatem admiramur, à multorum etiam infesto & immani scelere longissimè abhorremus: ad cujus fastigium non video quid adjungi possit, cum numen omne pernegent, & ex eorum mente quibuscum familiariter degunt, sensum Divinitatis, & consensum pro viribus evellunt. Quamobrem impii suorum numerum in hac Parisiorum luce ingentem esse aiunt atque gloriantur.* But I have heard some more conversant in that Book then I have been, relate, how that great Master of *Numbers* doth make the *Atheists* in *Paris* to be 20,000: and it being justly to be supposed that those 20000 *Miscreants* being wretchedly poor (for that as *Aristotle* has long since well observ'd, rich men are naturally φιλόθεοι or lovers of God, who hath provided so well for them) they would presently seem *Protestants* to qualifie them for turning *Papists*, and receiving their *Conversion Money*, and would say as of old, *accipe pecuniam & dimitte asinum*, and instantly swell up the number of *Converts* in *Paris*. But *Popery* gains nothing in reality by those fugitive *Converts*: for the *Fool* that saith in his heart there is no God, will be easily brought to say in his Soul, there is no Soul: and therefore say I, *caveat emptor* to *Messieurs* the *French Converters*: the volatile *Converts* for a good quantity of solid Gold, sell them but a little *Quicksilver*, or rather *Smoak*: and I think they may as well employ their Money in converting the *Poysoners*.

There is another thing that makes it very impolitick thus to throw away good Money on bad *Converts*, and that is what hath been observed to be the effect of this expenceful project in *France*; namely, that it makes the remaining part of the *Adherents* to their former Religion to be really the more strong, powerful and united. The Wine that was at first in colder weather preserved by the Lees in it, yet in the hotter season improves best by being rack'd off the Lee, and thus it is with the *Adherents* to a Religion, when in the heat of *Persecution* they are defecated from the viler part of its Numbers.

But yet on the other hand the *Mercenary Religionists* and *Religion-traders*, do grow impoverished with their very Gifts, and the vigour of their minds, and natural disposition to industry is thereby emasculated. I shall here once for all say, that by the word *Religion-Trade*, I intend no prophane reflection on Religion as 'tis in the Scripture sense, the calling of a Christian: but 'tis they that prophane it, who by prostituting that high Calling (as *St. Paul* styles it) to low and vile ends, do indeed miscall it, and occasion others to do so too. And indeed we are out of the Sacred Writ advertised of the *Religion-Trade* and *Religion-Traders*. *St. Peter* gives

the Alarm of *False Teachers*, that shall through *Covetousness* with feigned words make *Merchandise* of them: And one Chapter in the *Apocalypse*, as generally interpreted by Protestants, makes his pretended Successor to deal in the *Merchandise of Gold and Silver and Precious Stones, and Pearls, &c. and Slaves and Souls of Men*. And as in Rome at present, and long since, the only considerable *Trade* that is driven, is that of *Religion*, there being scarce any *Secular Merchants* there but *Jews*, and those too chiefly dealing in *Frippery*, so is the great Trade thence forced upon the World from the Apostles See, relating to the Souls of Men. 'Tis there the great *Bank* of Souls is kept, and the security of Rome is expos'd for that *Bank*, as that of the whole City of *Amsterdam* for its *Bank*, the which doth not more enrich the Merchants that deal with it by saving to them the expence of their time, and preventing their receiving of bad Money, then the other *Bank* of *Souls* doth impoverish its *Merchants* by defrauding some of their good Money, and others of their pretious Souls by it, and by the lavish wasting of the time of others, and making them who embanked their Talents of good Natural Parts and Wit there, but in effect to wrap them up in a *Napkin*, and both by believing some of the Papal *Tenets*, and by being paid so much and no more for the same, and not providing for their Families as they might have better done by substantial and even Mechanical Trades, to be worse then *Infidels*.

'Tis but Natural to Suppose that a Man of two Trades will neither to any high Degree improve them, or his Estate by them, suitably to him who minds wholly one Trade: And the adventitious gain of a Man in any Profession, who is a *Religion-Trader* doth but entice him to the idleness whose effects render him unfortunate in both; and therefore I account that the See of Rome, unless it could pretend to infinity of Treasure, as well as Infallibility of Judgment, and whereby it might plentifully by Pensions tye all its *Devoti* only to the Religion Trade, loseth its Oyl and Labour in the largesses it affords Men of other Trades.

The prying People of *England*, next to their *Algebraing* out (as I may say) the *Authors of Murder*, have that Curiosity too to discover the ways by which any of their Neighbourhood do subsist, and when they knew them to have no Paternal Estates, nor to have acquired any by Marriages, or by Skill and Industry, and Success in their particular Professions, yet see them live with Equipage and Splendor, they often with Justice resolve the Cause of their Living so, into the Contributions they receive from the *Religion-Trade*: But yet 'tis a Familiar thing to observe that other Artists in the same Secular Calling with them are therein more diligent, and more dextrous, and more thriving, and too more frugal (as having that only to depend on for their Maintenance) then such Journey-men of Rome as are aided in their Expences by Contributions from Holy Church, by which the births of their Fortunes are thus in a manner over-laid.

Of trading Persons and Companies being undone by Donatives, and being diverted from necessity, compelling them to an excellence therein by their being provided with Golden Bridges to retreat from want and hard labour by, we have a remarkable instance in *Stow's Survey of London*, where he inserts the famous Will of Mr. John Kendrick Citizen and Draper of London, who dy'd in the year 1624, wherein he, for the advancement of the Woollen Manufacture in certain Country Corporations that were then and before Eminent for and by that Manufacture, bequeath'd great Sums of Mony to them, as for Example, to *Redding* 7500 l. and 4000 l. to *Newbery*, and moreover ordered 500 l. to be lent gratis to the Clothiers of *Newbery* and *Redding*; but under the weight of that Charity

of his their Trade was in the event really depressed, and many Merchants of *London* occasionally broke by that means.

And sutable to the Operation of the Religionary Trade and the other Secular one, impoverishing several of our Jesuited and other Lay-Papists, the late times gave us the Experience of several Tradesmen who being of a slothful disposition, thought it for their ease to get some little Salaries from the *State*, or voluntary Contributions from some of the Sectarian Populace to eek out their Maintenance, and that particularly under that great Idol *Oliver Cromwel*, who so fatally ruin'd the Trade of *England*, and resembling the Pope in being a *Cape Merchant* of Souls, was not undeservedly in the time of his Reign greeted in print by the Title of *ὁ ἀντίχριστος* by a Reverend Divine of the Church of *England*, the which was applyed to *Oliver* in the Title of the Book, and he it was that begger'd the Nation, and then taught it to Cant; and then did that *Pharoah* otherwise then in a *Dream* make the *lean Cattle* of Canting Words and Phrases devour the *Fat* of the Land, and much of solid improvement, even in Mechanical Arts and Sciences, and then it was that various *Clanns* or Corporations of *Canter*s only by being such, Monopolis'd the Preferments of Church and State, and few were admitted to *prattique* there but such who had the Plague, and were as idlers, pests to the Kingdom, and who had *Embanked* their Souls in that great Religionary *Bank* of his setting up: And yet then those adherents of his that sold the *Wind* of inspiration were in comparison of the substantial other Traders, who soly depended on excelling in their particular Trade, as poor almost as the *Lap-landers* who sell other Winds.

But that which is much more *Momentous* than the impoverishing of all these Particular *Religion-Traders*, and even the diminution of Trade in general, ensuing the profusion of profit by donations on the account of Religion, is that Religion it self is hereby impoverished, and its most vital part Sincerity hereby in danger to be exterminated. For as 'tis a thing well known to *Merchants* and *Goldsmiths* and *Mint-Masters*, that if the *Par* (as they call it) or exact *Proportion* between Gold and Silver be not observ'd in any Country, either the Gold will carry all the Silver out of it, or the Silver all the Gold; so it may be affirm'd too, That if there be not a *Par* or *Proportion* observ'd as to Religion and Profit or *Wealth*, either the Religion of a Country will carry out all the profit or *Proventus* of it, or the profit will carry out or exterminate Religion. I will not therefore here *Prophecy* that the World *will* never, but say that it *can* never be fixed in a quiet and orderly State, and free from the Importunity and Sedition of Hypocrites till its Present State be such that Men can neither get nor lose by Religion: And till the World recovers this Golden Age, namely, that Gold cannot carry out our Religion, (and People us with Hypocrites) or our Religion Gold, the World will be but a great disorderly House and scarce worth any Mans being Monarch over it.

As the *Irish* call their last *Rebellion* by the name of the *Commotion*, so some have happen'd to call the Present State of Peoples Minds in *England* which is so disorderly by the name of a *Fermentation*, and this *Fermentation* can never be over in our *English* World, till there shall here be neither profit or loss by Religion, and that no Man shall be more or less Rich by more or less Combining with any Party, to cry up or decry any Religionary Tenets or Propositions.

One would wonder that since Religion, and particularly the Christian, with its *Credenda* doth Crown the reason of Man, and likewise annex by the

the exuberance of the Divine benignity a Crown of Glory hereafter to the Believers, that any Men should for their belief of Propositions not contrary to reason, and wherein the credit of the propounder was supported by Miracles, expect to be rewarded in this World, a *humour* that hath been regnant even among Christians, from the time of our Saviour's being on Earth to the present Age, and a *humour* that so poyson'd the *Jews* of old, that they thought it not *Tanti* to have their minds freed from the slavery to Error, unless the *Messias* would have deliver'd them from the servitude of the *Romans* (and because he did not, and did decline the being made an Earthly King when the *Jews* with their *Hosannas* were tempting him to it, they Accused him Capitally for saying *That he was a King*, whenas it was not he, but they that said it, and they put him to Death *revera* because his Kingdom was not of this World) and a *humour* that would not quit the Stage when the first Christians did, but boldly still faced the World, as appears by the notion of the *Millennium* having been so much applauded by all the *Fathers* of the Church and the Christians before the first *Nicene* Council.

But methinks from the Example of the Christians of old who did *Ambire Martyrium* to such a degree that St. Gregory saith, *Let God number our Martyrs, for to us they are more in number then the Sands* (as if the work had been too hard for another *Archimedes* with his *Arenarius* to Calculate the number of the Martyr'd Christians, and one Author accounts that, excepting on the first of *January*, there is no day for which *Records* do not allow 5000 *Martyrs* at least, and that for most days they allow 900, and who did ennoble the *Christian* Religion, by shewing to the World an Example of Contempt of Death, and even of Life beyond that of the Ancient *Romans*) I say from the Example of those Christians who did in shoals dye daily for their Religion, *Ours* may, if they please, be taught the modestly not to expect daily livelihoods from it, and to account they have very fair play if they do not lose their livelihoods by it.

'Tis moreover observable that under the *Jewish Theocracy* Providence had then so ordered things, that no Man should get or lose by Religion. The *Tribes* had then their shares of the good Land by *lott*, and the *Levites* only had that affluent proportion of the *Proventus* of the other Tribes that I have before Calculated, and which would have tempted many of the other Tribes to have march'd over to the *Officium* and *Beneficium* of the Priesthood, had not God their *Monarch* provided against that, by the confinement of the Administration of the Priesthood to one *Tribe*, and its descendents by natural generation.

But as to the notion of getting or losing by Religion, I shall recommend to your *Lordships* reading a small *Pamphlet* printed in two sheets of Paper in *Folio*, and call'd *The great Question to be consider'd by the King and this Parliament, &c.* to wit, *How far Religion is concern'd in Policy or Civil Government, and Policy in Religion, &c.* On the disquisition of which a sufficient Basis is proposed for the firm settlement of these Nations to the most probable satisfaction of the several Parties and Interests therein, and subscribed by the name of *Philo-Britanicus*.

Who the Author of it was I cannot learn, but do easily find by the Book that he is a Man of great *Acumen* of thought, and that Matters of Religion and State, especially relating to this Kingdom, have been very much thought of by him, and that the Author was certainly neither *Papist* nor *Presbyterian*, and so far from being a favourer of the Church of *England* that he doth *interminis* make the publick Maintenance of the Clergy to have been the *Bone of Contention* in these Nations, p. 8. and there

there faith, *It will be found to stand on the same foot with Abbies and Nunneries and their Lands*, and there further as a propounder would give all the Church-Lands to the Crown, and the Tithes to the People; and then tells us, *That all Fears and Jealousies and Animosities on the account of Religion, will be pluck'd up by the Roots.* That Author in p. the 5th doth very acutely observe, *That Popery hath two Parts, the one is that which is meerly Religious, that is which relates properly to Religion or Conscience, and which is peculiar to them, such as the believing of Transubstantiation, Purgatory, Adoration of Saints and Images, yea, and the superiority of the Bishop of Rome over other Churchmen, all which and those of this kind may be believed and professed without prejudice to Civil Society, and as being matters relating to Conscience come not properly under the Magistrates Cognizance; the other part is the opinion of the Pope's Power over Princes and States, his absolving the people from their Obedience, his giving them dispensations to kill Princes and destroy them, and allowing them not to keep faith to Hereticks and such like, which as they are destructive to Government, are truly no part of Religion, but a politick contrivance, long hatch'd by the Bishop of Rome and his dependants for the establishing to himself a firm Monarchy in the World, and therefore ought to be guarded against and punished by the Magistrate, not as errors in Religion, but as destructive to the Government.*

The Author of *Omnia comesta à Belo* as great a Calculator as he would go for, was yet but a Blunderer in respect of the Author of this discourse, in which there is so much smoothness of words and plausibleness of notion, that if it were possible he would deceive some of the very Elect, and that too, of their Established Maintenance.

But whatever the Sentiments of that Author were, I must affirm that as ample as the Revenue of the Church of England shews, if compared with that of other Protestant Countries, it is yet so far from excess in its proportion as to ward off all inconveniences from the State of mens getting by Religion.

The over ballance of Land here was so much on the Churches side in the times of Popery, that it was then in our *Provincial Constitutions* fulminated as a Menace to the Layety that in case of some particular Contumacy, none of their Children should be admitted into the Clerical Calling for three Generations.

But how Nugatory would such a threatening now be! There are few or none of the inferiour Clergy, but might have in inferiour Callings arrived at greater Incomes and with less charge of Education, and the most envied of our dignified Clergy might in the other two of the great professions, viz. in Law and Physick raised their Estates and Families on better and easier terms than they now can.

And that the Men of the most eminent natural parts would be losers by Religion, I mean by the Clerical Profession but for the encouragement of these Dignities, we have an indication from the quality of the Divines in the late times, who were generally so unlearned, that Learning it self then seemed to have retreated from our Universities to the Colledge of Physicians in London. Notwithstanding the great Sums of Money by the Usurp'd Powers employ'd in the Augmentations of Livings, one may well suppose that all of the 10000 Livings in England except 600 needed, for that was the number of the Livings in England as before said averr'd to have afforded a Competent maintenance for a Minister, the dearth of Learning and Learned Men still continued, insomuch that the teeming press then brought forth few Learned Discourses, relating to the faculty of Theology but what was published by Dr. Hammond, Dr. Taylor, Dr. Sanderson and some other

Divines born and bred in the Sunshine of the Church of *England*.

And I do believe that in *Holland* the Livelihoods for their Parochial *Divines*, are better then those that our Livings at a *Medium* yield, especially considering that the *Dutch* Ministers Widdows have 40 *l.* a year paid them during their Viduity: but for want of such encouragement as our *Dignities* afford for the Educating their Natives in Learning, they are constrained as Mr. *Philip Nye* observes in his Book called *Beams of former light*, p. 152. *To send to Forraign Parts to men to be their Professors in their Academies.*

And I account that nothing less then the hopes of being *Dignitaries*, could in the flourishing condition of the Church of *England* make so many of our Learned *Divines* take up with the poor generality of our Livings, which are such that the *Answer to the Abstract* published by Authority in the Year 1588, mentions in p. 27, *That surely if a Survey were taken of all Parish Churches and Parochial Chappels in England, I dare affirm that it would fall out that there be double or treble as many more Livings allotted for Ministers under the true value of 30 l. a year, ultra omnia onera & reprisas, as are above that Rate.* And that our *Divines* in the late Times look'd on such a yearly Sum as an uncomfortable pittance for a Minister, we have an instance in the Story told in a *History* of the late Times in *Print*, where a Patron desiring one to recommend to him a godly man for a Living of 50 *l.* a year he then had void, was answered, *That a godly man could not be had to accept of a Living of so small a value.*

It is moreover a lamentable thing to consider what an *Excisum* hath been put on the value, even of our poor Livings, by the Simoniackal Practices of Lay-Patrons: and in their hands the greatest part of the Impropriations hath been computed to be.

Sir *Benjamin Rudyard* a Famous Parliament-man of the last Age, in a *Speech* of his in behalf of the *Clergy*, spoke in Parliament and Printed at *Oxford*, Anno 1628, speaks there of the Scandalous Livings we have of 5 *l.* and 5 *Mark* a year, and Cites Bishop *Jewel* for complaining in a Sermon before Queen *Elizabeth*, *That the Simony of our Lay-Patrons, was general throughout England, and that a Gentleman cannot keep his House unless he have a Parsonage or two in farm for his Provision.*

And how generally a Simoniackal disposition hath continued to infect our Gentry, appears by the vile Bonds that have been so much by Lay-Patrons imposed on the Ministers they presented, viz. to resign their Livings again to them at pleasure; and it is for the lasting Glory of the Lord Chancellor, that he hath in Court declared that he will on occasion Null all Bonds of that sort, and no doubt but the accidental encrease of the poverty of the Gentry, which hath tempted them to sell the same Land twice, and to sell the same Living once, will tend to the encrease of Simony.

Moreover when it shall be considered, that the Case of a Minister is such, that tho Lay-men are secured by the Great Charter from being punished for Contempt of the King's Commands, otherwise then with the saving of their *Contentement* and *Free-hold*, yet that he holding *Virtute Officii* is lyable by the Kings Ecclesiastical Laws, even for those things that in the Layety are no offences to be deprived of the Free-hold, that the Law supposed him as Parson or Vicar to possess, and that he by the Artifice of the said Bonds, hath had the benefit of his Free-hold, in effect during the Patrons *Leneplicitum*; and further, that every New Political *Conjuncture* threatens him with New Subscriptions from the Magistrate, and New Nic-names from the *Mobile*, and that on any change of Religion, he is sure to be put in the
forlorn

forlorn hope, and that he tho continually thinking of *Divinity*, which is his profession, hath not yet that freedom to speak all his Sentiments of the controverted part of it, which a Lay-man enjoys, and that he is still exposed by constant thinking to prey on the Membranes of his own Brain to find Notions for senseless people, methinks after he has all his life before, been constrain'd to take these bitter Pills as they are in themselves, none should repine at their being *gilded* for him in his declining age: and if among *Ten thousand* of these, *twenty six* shall in their old Age have the Revenue of Bishops, and *five hundred* of *Prebends* after so many shall have drawn *Blanks* in the *Lottery* of Preferment, those few that shall draw those *Prizes*, need not be envied for what they have acquired by the Theological Profession.

It was both with Justice and Prudence by our Laws caution'd that so great a part of the *Clerical* Maintenance should arise from *Tithes*, for by that means our *Clergy* are engaged to make the interest of their Country and its improvement their own; and had they not had so much of their maintenance founded on *Tithes*, but on Money out of the *Exchequer*, as they had before this time lost excessively by Religion, so Religion would have lost their Calling: for that the price of Silver falling by the plenty of it, and the plenty or encrease of our people making all the Products of our Country dearer, it hath been advantageous to our Clergy to receive their Tithes in kind, as it hath been to Colleges to receive a *Quota* of their *Rent* in *Corn*.

But that still the maintenance of the inferior Clergy, was too mean, will appear even by the late Enemies of our Hierarchy being Judges, for Mr. Nye in that Book of his, called *Beams of former Light*, having spoke of the Ministers Calling, being once a gainful one, saith p. 123. *It is utterly otherwise now, not but that there is a very liberal Maintenance appertaining to Ministers and greater by the bounty of the Honourable Parliament, then the Preaching Ministry have formerly enjoyed*

The gradual encrease of our People and Trade, hath proportionably encreased the *Clerical* Revenue which on the beginning of the Reformation was presently sunk, so that *Latimer* in his *Sermon* before *Edward the 6th* said, *We of the Clergy have had too much, but that is taken away, and now we have too little*; and what *Jewel* in his *Sermon* notified to *Queen Elizabeth* of that kind, I have mention'd, and so languid was the State of the maintenance of the Inferior Clergy in her time, that She by one of her Printed Ecclesiastical *Injunctions*, Anno 1599. did under great Penalties, forbid all *Priests* and *Deacons* to Marry any Woman without the Advice and Allowance first had by the Bishop of the Diocese and two Justices of Peace, which I suppose was caution'd by the *Queen*, that the many Ministers who had not competent Livings to maintain themselves, might not marrying Wives without Dowries, by new Births, encrease the number of *Paupers* in Parishes.

It is observable, that in the late times the *Jesuites* did publish many Pamphlets in Print against *Tithes*, and did animate the people to make Tumultuary Addresses to the Usurpers to abolish that maintenance of the Ministers, wherein as their *Politicks* were so unjust to our *Monarch*, that had they succeeded, they would have barricaded the way for his return in the minds of too many of the People for fear that the payment of Tithes should return too, so likewise were they so ridiculous by cutting off all hopes of the return of Popery here in any Conjunction of time, that less then an Army of *Bellarmines* would never have perswaded the common People to hear with patience any talk of *Holy Church's* re-establishment here.

Tho,

Tho, as I have shewn, that *Tithes* by reason of the equality in the Imposition of them, and the diuturnity of time that hath habituated People to the payment thereof, are a gentle part of the Yoke of our Ecclesiastical Government, yet if the payment of them or any other Tax, whether of *Excise, Customs, or Chimney-money* were for many years discontinued, there would be no probability of bringing either the old Stagers or new Comers in the World to consent or hearken to their being re-established.

The Critical Observers of the *Jewish State*, after Ten Tribes had made a Schism from the other two, judge that there were two *Conjunctures* of time, wherein their piecing together was feasible, and that the great true Cause in Nature that hindered the Re-union of the Tribes, was the aversion in the Ten Tribes to make three chargeable Journeys yearly to *Jerusalem*, and to pay a double Tenth yearly out of their Estates (besides Offerings and other Casualties to the Priests and Levites) from which trouble and charge they had been relaxed by *Jeroboam*, and by his Model of Idolatry: and therefore the People having most inclination to that Religion that was cheapest, and knowing that if they return'd to their old Religion, they must likewise return to their old Payments to the Priests and Levites, did venture to adhere to the cheaper *Golden Calf*: and had the *Jesuites* here effected from the Usurpt Powers the Abolition of the Clergies *Tithes*, which would have made the Return of the Church of *England* so difficult, I may well argue that it would have made the Return of the Papal Religion, and its chargeable Idolatry impossible, whose Yoke of Payments neither we nor our Forefathers were able to fear.

Will-worship

But when senseless *Fanatics* came with those *Petitions* against *Tithes*, the more sagacious of the Usurpers knew that the *band of Joab* was in them, and they knew that hardly any Observation was more trite than that Popery gained ground, chiefly in the poorer parts of the Kingdom, where the despicable maintenance made the Ministry so too, and where too the Pope would no more hunt for Converts than among the poor *Norwegians*, but that it was of use to him to have the number of his *Subjects* increas'd in any poor places in a rich Kingdom, where he tho a spiritual *King* might yet call his *Subjects* to Fight.

Sir *Benjamin Rudyard* takes notice of *Popery's* being an intruder among the poor Benefices of the *North*, in the Speech before Cited, and there saith, p. 1. That to plant good Ministers in good Livings, is the strongest and surest means to establish true Religion, and will prevail more against *Papistry* than the making of new Laws, and executing the old, and there p. 3. relates what King *James* had done for the supporting of the Protestant Religion in *Scotland*, where (saith he) within the space of one year, he caused to be Planted Churches throughout that Kingdom, the *High-Lands* and the *Borders* worth 30 l. a year a piece, with a House and some glebe-Land belonging to them, which 30 l. a year considering the cheapness of that Country is worth double as much as any where within an 100 Miles of London. And p. 7. he mentions some Passages of Bishop *Jewels* Sermon before Queen *Elizabeth*, where the Bishop having in general reflected on those that then caused the diminution of the maintenance of Ministers, he further saith, howsoever they seem to rejoyce at the prosperity of *Sion*, and to seek the safety and preservation of the Lords Anointed, yet needs must it be that by these means Forraign Power, of which this Realm by the mercy of God is happily delivered, shall again be brought in upon us. Such things shall be done. to us as we before suffer'd in the times of *Popery*, &c.

'Twas there before mention'd how that Man of God with a flame of Zeal, reflected in these words on the Queen her self, Our posterities shall rue that

that ever such Fathers went before them, and Chronicles shall report this Contempt of learning among the Plagues and Murraings and other Punishments of God; they shall leave it written in what time, and under whose reign this was done.

If the good Bishop had considered the vastness of Queen Elizabeth's Expences before mention'd, in defending the Protestant Cause, *contra gentes*, he would have given her day to have built and endowed some Churches; and to those expences before mention'd, it comes into my memory here to add what I then forgot, which is related in the *Travels* of Mr. Fines Moryson, who was Secretary then to the Chief Governor of Ireland in her Reign, viz. That she expended in 4 years time on that Kingdom, a Million and one Hundred Ninety Eight Thousand Pound Sterling; which Sum so laid out then on Ireland, will seem the more considerable, when by a late Report of the Counsel of Trade in that Kingdom drawn by Sir W. P. The currant Cash of that Kingdom is made to be but Three Hundred and Fifty Thousand Pound Sterling.

But this by the way, and to resume my discourse of our Clergies neither getting nor losing by Religion; I shall say that as the acceptable free restoration of the Church as well as the Crown to its Lands, shewed that there was no fear of its injuring the Ballance of the Kingdom, or hurting Religion by its weight, so hath the following acquiescence of all dis-interested men in the same, evinced that weight to be no gravamen.

In a Pamphlet called a Letter from a Person of Quality to his Friend in the Country, Printed in the Year 1675, generally supposed to be writ by the Earl of Shaftsbury, and which asserts the Justice of the Declaration of Indulgence, the Author in p. 5. speaking of the Church of England, becoming the head of the Protestants at home and abroad, saith, For that place is due to the Church of England being in favour and of nearest approach to the most powerful Prince of that Religion, and so always had it in their hands to be the Intercessors and Procurers of the greatest good and protection that Party throughout all Christendom can receive. And thus the Archbishop of Canterbury might become not only alterius orbis, but alterius Religionis Papa, and all this Addition of Honour and Power attain'd without the least loss or diminution of the Church: it not being intended that one Dignity or Preferment should be given to any, but those that were strictly conformable.

The natural inclination in all ingenious Men not to cast an evil Eye on the Church Revenue, appears in Mr. Marvel's Second Part of the *Rehearsal* transpos'd, p. 146. where he saith, I am so far from thinking enviously of the Revenue of the Church of England, &c. That I think in my Conscience it is all but too little, and wish with all my heart that there could be some way found out to augment it.

And our ingenious and great Lord Chancellor Bacon, in his certain Considerations touching the pacification of the Church of England, hath with great equity decreed our Parliaments to be in some sort indebted to the Church.

Moreover that Gentlemanly way of writing used by our great Divines, in a late Conjunction against Popery, and so suitable to the refinement of Wit and Reason in the Age, and wherein without the Pedantry of unnecessary Words or Quotations, or raising a dust out of the Learned Rubbish of the Schoolmen, they generally with a manly Style and clear reason and skill at that weapon got the Sword out of their Enemies hand by the *Argumentum ad hominem*, and shewed us that Popery and Implicit Faith were not Calculated for the Meridian of this Age, hath (I think) made all ingenious Men Conformists in this opinion, that if their Genius had been cramp'd with the *res angusta domi*, their thoughts had not in their Books

appeared so great, and therefore I hope that all the well writ *works of their hands, and seasonable discourses against Popery* at that time when it was ready to curse us, and to rise up against our Religion, will make all thinking Protestants to say *Amen* to that Prayer of Moses, *Bless O Lord Levi's substance, accept the work of his hands: smite through the Loyns of them that hate him, that they rise not again.*

It will I doubt not appear to rational and thinking men, that our little interloping Churches or Congregations that set up with their precarious Power, and small stock of Learning or Revenue, will no more be able to break the great Compacted Body of the Papal Church, that hath the *Monopoly* of the *Religion-Trade* in so many parts of the World, then a few interloping Merchant-men to break the Opulent *Dutch East-India* Company, who have engross'd so much of the Spices of the World, that sometimes they cause several Ships loadings of them to be at once consumed, as knowing what quantity, and no more will be useful to the World. And somewhat like that thing too, the Polity of the *Anglican* Church in *Harry the 8th's* time perform'd while it drove a *Religion-Trade* with *Rome*, and yet consumed a great quantity of its superfluous Merchandize, and the same thing hath been done by our National Church, as to remaining parts of the *Romish Superstition* in succeeding times, and indeed *Superstition* which is a kind of *Nimriety* of Religion, is so incident to Humane Nature, and is so destructive to the Polity of Churches, and the substantial Commerce of Nations, that it is worthy the Power and Care of Nations to consume it.

And considering that the Church of *Rome* hath still valued it self for being *terribilis sicut castrorum acies ordinata*, it is a vain thing to contend with such a Regular Church Militant, without our having general Officers, and as exact a Conduct, or to think to have such Officers without Honourable Maintenance from the Publick: *For none doth go a Warfare at any time at his own charge.*

When I think how in the *Primitive* times, while a Cloud of Persecution was always over the head of the Christians, that yet they strain'd themselves so much in Contributions for the Pastorage of their Souls, that all the Pastors then were so far from losing by Religion, that some were tempted to that Office for *filthy Lucre* (as we may see out of *Peter Ep. 1. Ch 5. Vers. 2.*) tho yet too so little comparatively was to be gain'd by all thereby, that others probably undertook that Office *by constraint*, as the same *place* intimates, and that therein the *Apostolick* Prudence was conspicuous in ordering it upon the whole matter, that the generality of Pastors then should not get or lose by Religion, I may reasonably conclude that we who live in the flourishing and prosperous State of Christianity, ought to provide that the meanest Pastor of Souls in *England*, may live competently and decently by that Office: and for my part I shall never give my voice for any ones serving in Parliament, that will not be willing to move for the discharge of the Debt to the *Clergy* before mention'd, as soon as the State of the Kingdom will bear it.

Sir Benjamin Rudyard in his aforesaid *Speech* p. 3. mentioning the danger we are in of being upbraided by the Papists, for being willing to serve God with somewhat that would cost us nothing, hath a saying that I have often heard Cited in discourse as anothers; namely, *He that thinks to save any thing by Religion, but his Soul, will be a loser in the end.*

And this Notion of his of not saving by Religion, doth fortifie my affirmation of the publick inconvenience accruing by the getting by it, as to which I have so opened the present State of the *Clergies* maintenance in *England*, as to represent them rather losers then gainers. When

When 'tis considered how many there are in *England* of the *Layety*, who gape for gain by Religion, and are ready to devour one another for it, as well as Religion by it, I am sure none can with reason think the *Quota* of the *Clergy's* Maintenance, should be such as in the time of the prosperity of the State to render them losers.

How scandalous and how ridiculous, nay, how ridiculous by Poverty it self, many of our Lay-Popish and Protestant *Religion-Traders* have been, I have already evinced; and do suppose that nothing can *blacken* that Trade in the fancies of the People, more then the discovery of the *Traders*, who must needs appear more odious then they who are the Mercenary Brokers, for the debasing of Humane Nature by Lust, since the Hypocritical Religion-Traders do for Rewards prostitute the Honour of their Creator, and as much as they can make the Divine Nature subservient to the diabolical Art of their Hypocrisy.

Before the late Market for Converts in *France*, I have not heard or read of any Nation in the World, wherein great Parcels of the Layety have gain'd Mony by Religion, but only in *England*.

I believe that in *Amsterdam* (whereas *Des Cartes* saith in one of his Epistles, *Nemo non mercaturam exercet*) there is not one Religion-Trader, tho yet all Religions are there tolerated. Nor yet is any Lay-man of that Trade in *Paris* who is of any other.

And in the Policy of the *Turkish* Empire, 'tis provided for as a *Fundamental*, that nothing shall be there acquired by Religion; insomuch that all that Emperor's Subjects as well as himself being by their Law enjoin'd to be able to practice some *Manual* Trade, when any are call'd out to discharge the Office of Priests, or Celebraters of the Publick Religious Worship there, such exact Care is taken, that they shall get by the exercise of that Office, just so much and no more, as they did by their *Manual* Trade: for which purpose, an Excellent Person who was the King's *Ambassador* at *Constantinople*, related to me, That he complaining to the *Visier* of some injury done by a *Turkish* Priest to one of his Servants, the *Visier* deprived him of that Holy Employment, and that the Priest being afterward sent too, to Petition to be restored to his place, he answered, that he would not, being as well content to work on in the Mechanick Trade, to the exercise whereof he was returned since his said deprivation.

But this Trade and sort of Traders that hath so long pester'd our Kingdom, is now about to expire by a natural death, and which it could not before be brought to do by a violent. And as the Trade of sturdy Beggars, the which is as much a Trade and as much conducted by Laws among themselves, as is any incorporate one that hath the stamp of the Great Seal, could by no Legislation be extinguished, but would soon be so by peoples voluntary forbearing to be their Contributors, thus too will this sturdy Religion-Trade have its Period. Our Fifth Monarchy-men who thought to inherit the earth without giving sixteen years Purchase for it, and who pretended to follow the *Lamb wheresoever he went*, but really out of dreams of a golden Fleece, are by all exploded. The condition of *Britannia languens*, and that too very much occasion'd by the former insolence of the Papists, being understood at *Rome*, will make the old *Gentleman* there think 'tis vain for him to hope to be possess'd of the Abby Lands without giving for them many Millions of Pounds *Sterling*, and the Papists here will I believe so soon penetrate into the present State of our Poverty, that they will find no way effectual for the delivering them from the vexatious Prosecutions of Protestant Informers, but the Removal of that decay of Trade, and general dearth of mony that has necessitated so many to be *Informers*,
and

and who cause them to spend upon *under Sheriffs* more Money then they save by not being *high Sheriffs*, and which decay of Trade hath sunk a 4th part of the value of their Lands, and which can never be cured but by the dissolution of the Religionary one; and finding the Credit of the *Jesuites* Society crack'd, as I have before express'd, will find that their *Journey-men Calumniators* (as Mr. *Sergeant* calls them in a Paper of his I have seen) must necessarily *break too*, and it being found that not only our *Enthusiasts* are forced by necessity of Nature to desist from expecting any gain by Religion, but all Protestants whatsoever, the Popish Traders therein will be the more content to give over one of their Trades, and the fate of them will be like that of the Associated *Jesuites*, to march out of their Spiritual Corporations insensibly, like the captious *Scribes* and *Pharises* in the Gospel, of whom 'tis there said, *Being convicted in their own Consciences, they went out one by one beginning at the eldest even to the last, &c.*

Tho as I said no man in *Holland* doth get or lose by Religion, yet since the Reformation there was a Controversy of Religion, I mean the *Arminian* one which made an extraordinary fermentation in their State, and which Controversy tho Knaves there frightened Fools with, as if it were stirred by the *Remonstrants*, with an intent to bring in Popery; yet the knowing few easily understood that neither side of the *Question* could produce that effect, and they likewise understood that the profession of the belief of the several opposite Points of that Controversie among the opposite Parties there, serv'd only as *Ribbands* of several colours, to distinguish Parties that are against each other in Arms.

And yet that very great Controversie in Religion, which divided *Holland* and distracted our Kingdom in the time of the Royal Martyr, and the substance of which perplexed the *Tribæresia* of the *Jews*, the *Saduces*, *Essenes* and *Pharises*, and likewise three sorts of Christians, the *Pelagians*, *Calvinists* and *Arminians*, and that of old divided the Sects of the Philosophers, and hath many years raged among the *Turks*, and likewise among the *Jesuites* and *Dominicans*, after its having for so many thousand years troubled so many Millions of Mankind, seems lately to be retired to its Eternal Rest, and the sullen World seems resolved to hear and read no more of it, and none I believe will get or lose any secular profit by his Sentiments in that Controversie; and 'tis probable that the Controvertible part of Popery may thus go silently out of the Company of People in this Kingdom, and without so much as troubling us by taking a formal leave, give rest to it self and us, and that none will in this our World get or lose by that part of Popery that can properly claim to be call'd a Religion.

I have usually in this *Discourse* called it an *Hypothesis* or *Supposition*, which I chose rather to do then to call the entire Body of it a Religion, which I know that it is not and cannot be, and that Popery and the former *Scotch Presbytery*, and *Socinianism* are not in the gross called Religions otherwise then *κατ' ἀρίστην*.

I will not quarrel with Papists for calling some Points before mentioned, wherein Disputants will be still playing with the Dye of Controversie, by the Name of Religion, and I will give tho not grant them my Consent for applying that Name, to the believing that the *Pope* is the *Principium Unitatis*, and there are not many Propositions in the *Chronologia hæresium, sectarum & schismatum*, and in the *Hæresographis* that many have Publish'd, that I would think a man to have *læsa principia* that did call Tenets of Religion; and there are in Popery many things enjoyn'd, that tho I look on as needless impositions and new inventions, for the diverting the Melancholy, I shall not gainsay any one that shall call Religion and represent them

them as of *Apostolical* Practice, tho the birth of many of them was *revera* but of yesterday.

And thus let the mixing of Water with Wine in the Eucharist, and the fasting on *Friday*, Pilgrimages to the Sepulchres of Martyrs, the Priests using a low voice in Consecration, and let the Canonization of Saints, the institution of *Saturday* Mass in honour of the Virgin *Mary*, the invention of the Red Hatts and Scarlet Cloaks worn by Cardinals, the Institution of the year of Jubily, the Popes every year Consecrating a *Rose* of Gold, the sound of the Bell at the hour of Mid day, the *Rosary* of the Virgin *Mary*, and likewise the Baptization of Bells, be all baptised with the name of Religion, and many Notions and Practices likewise more peculiar to Popery.

And tho the denomination of things is from the better part, as Mines are said to be of Lead, or Silver, &c. from the quantity of the Metal there most valuable, and so I can be content to call a Complication of Tenets of which some are erroneous by the name of a Religion, yet in any *Systeme* of *Religion* or *Confession*, that may happen to appear in the World more pure and exact then the *Augustane*, or the *Helvetian*, or the *Saxonic*, the *Gallic*, or *English*, or *Belgic*, or *Bohemian*, and more accommodate to the true sense of the *Councils* and *Fathers*, and the best *Expositors* then the former, and containing more satisfactory explanations about the propagation and entrance of *Original* Sin, the Nature, Order and Offices of *Angels*, and of the Consistency both of Gods immutable Decrees, with the Contingency of second Causes, and of the Efficacy of God's Grace, with the freedom of Mans Will, and of the Time, Place and Antecedents of the last Judgment, one single Notion relating but to a Commandment of the second Table, incorporated with such a *Confession* of Faith, would make the applying the Name of *Religion* to the whole to be very ridiculous and nauseous, and make it more fit in the gross to be called a *Confession* of *Faction*, or of *Conspiracy* against Mankind; and any one will think so if that one Article should be thus inserted, *And we further think it commendable at some Seasons of the year, to kill the next man we shall meet.* And yet as harshly as this sounds, there is that in *Popery* and likewise in the Doctrine of the *Resistance* of *Princes* contrary to the *Municipal* Laws, that doth hear worse, and that is tho not a justification of the killing the next man to be met with, (the effect of which would yet make men excite their natural Courage and fortifie it with skill, and be provided with good Arms, whereby to be always ready to defend their Country, just as the *Spartan* Law of punishing no man for *Theft* that was not taken in the Fact, made men more vigilant in the Custody of their Goods) yet the killing Multitudes of the best men that can be culled and singled out of the *fæx* of Mankind, and such of whom the *World* is not worthy, in so much that we are told by *Asted* in his *Chronologia testium veritatis*, that *ab Anno 1540, usque ad Annum 1580, Novies centena millia Christianorum in Belgio, Gallia, Anglia, Italia & Hispania, Religionis Causâ trucidata sunt: atque inter eos fuerunt, 235 Barones, 148 Comites, 39 Principes, and the killing of Ten thousand Subjects next met, would not be so destructive to Kingdoms as the killing of one King, for according to the computation and the Style of the Scripture, he is worth Ten thousand of us.*

My Lord Arch-bishop *Laud* in his Famous Speech in the *Star-Chamber* p. 32, 33, &c. Answers some Mens Charge of Innovation against our *Liturgy*, as to the Prayers set forth for the 5th of *November*, and ordered (they say) to be read by *Act* of Parliament where one passage was, *Cut off those workers of Iniquity, whose Religion is Rebellion*; and in the Book

Printed 1635. 'tis thus alter'd, *Cut off those workers who turn Religion into Rebellion.*

His Grace in the p. 36. there weighs the Consequences of avowing that the Popish Religion is Rebellion: and in the next p. saith, *That if you make their Religion to be Rebellion, then you make their Religion and their Rebellion to be all one.*

But in my poor opinion several of the great Points of their Religion so called, as even *transubstantiation* it self and many others, are not to be term'd *Rebellion*, but other points before mentioned can properly be term'd nothing else, and when all those Tenets are so complicated by them, that they do all conjoynly integrate their Religion, then is there pretended Religion, when really believed, and practis'd, a real Rebellion.

The best advice therefore that I can give to a Papist is that of the old Philosopher *ἑαυτὸν σιμплифика*, *simplifica te ipsum*, and that of a Jewish Rabbi, *Comede dactylas, & projice foras duritiem*. The World is a weary of seeing any men joyn what God and Nature have parted: and of their projecting a *Communion between Christ and Belial*, and making *Christ the Minister of Sin*, as the Scripture expression is.

A great Master of *Mechanics* and of all sorts of refined Learning some years since brought to light the Invention of the *double bottom'd Vessel*, and a rude Description of it, being sent me for News into the Country, I easily guess'd that such a Ship bearing much more Sail then other Ships, must needs go a great deal faster before the Wind; but I was not inform'd of the Provision that the excellent Artist had made against the danger of *Divulsion*; it being obvious that in some Tempests 'tis as much as one entire body can do to preserve it self against the fury of the Sea.

This hath been the condition of Popery with its *double bottom* of Principles, namely, to bear a great wide spreading Sail, and it has heretofore in a quiet World sail'd apace before the Wind and in fair weather, but the Tempestuous Debates its Principles have rais'd here and abroad in the Sea of the People, have made this old *double bottom'd Ship* of St. Peter in such danger of *Divulsion* that especially with such *Pauls* Marriners as it employs, it can hardly escape.

I doubt not but the Papists as well as others of Mankind, have a Right and Title to the free and undisturb'd worshiping of God and the Confession of the Principles of Religion, purchased for them by the *Blood of Christ*: for Religion being Mens Priviledge as well as Duty (just as the Romans did account that they endowed any place with a Priviledge when they gave them their Laws) they may thank their great Redeemer for being restor'd to it. By the vertue of his *Blood*, the *Papists* stand seiz'd of a good and indefeisable estate of *Christian Liberty*, and they are bought with a Price, and are therefore not to be the Servants of Men, and one is their Master even Christ, who is the Lord that bought them, and they are therefore to stand fast in the liberty wherewith Christ hath made them free.

Socinus saith, he went on his *Knees* to God to find out the meaning of the 58th V. of the 8th of St. John. And should I chance to over hear any one Member of Mankind at his Private Devotions, and importuning Heaven to illuminate his mind with the knowledge of some point in Religion, that he conceived necessary to his Salvation, and acknowledging it to the praise of the Divine Goodness, that excited him to the use of all means whereby to discover it, that he had so far through the Efficacy of assisting Grace practis'd the Truths, his understanding was possess'd with as to satisfie his mind that he was a serious Suppliant for its being the depositary of more, I should be so far from wishing this man delivered over to Satan, from differing for me in any controverted

troverted Point of Religion, that I should think that if the truth he was in quest of imported his Salvation, *God* would send an *Angel* to explain it to him.

But as to *one* part of the *double bottom* of *Popery*, tho we should grant it laden with fundamental truths, yet 'tis notorious that the *other* is overladen with Fundamental Errors, and such as are apt to undermine the Foundations of States and Kingdoms, and there is no need of an extraordinary Messenger from Heaven to tell one embarked therein, that the *Pope* is not to absolve Subjects from the obedience of their Princes, nor to cause an eternal fermentation and inquietude in the World, through his Kingdom, (that should not be of it at all) yet being unbutted and unbounded by him in all the parts of it.

I will likewise tell any *Socinian* that his great Master *Socinus* made such a *double bottom* of his *Systeme* of Notions, that it hath forfeited its right to the Name of Religion by one Tenet complicated therewith, and that he ought to throw that off and *simplificare se ipsum*. Let any one if he pleaseth call the *Socinians* denying of the Trinity in Unity, and Original Sin, and the Baptism of Infants, or the Divine Prescience, and many other of their Notions by the Name of Religion; but there is *one* of their *Tenets* that their Master needed no long wrestling with Heaven as a Supplicant to find out the truth of, and which Notion when really believed is as pernicious to Crown'd Heads and their Subjects, as the lawfulness of any ones sometime killing the next man he meets, and that is, that my Prince and I may not defend our lives against the next Invader who comes to take them away; for as to that great Question, *An bellum offensivum vel defensivum sit licitum*, the *Socinians* answer is *negatur*, which any one may see who pleaseth to consult the *Themata F. Socini de officio Christi* p. 7. *Inter breves tractatus F. Socini*: and likewise his *Epistle to Christopher Morstius*, p. 498. among his *Epistles*.

And thus let the well-willers to *Presbytery*, call that erroneous opinion of their Church Government being founded on *Divine Right*, and the immediate Command of *Christ* and his Apostles a *Tenet* of Religion, but to confront the Laws of Kingdoms in the settling it, and to eradicate any part of those, and especially to root the inheritable Monarchs Power in popular Election or Approbation, and to make him but the Peoples *Attorney*, and his Authority as revocable by them as a Letter of *Attorney*, is *abusively* call'd Religion, and is only properly to be term'd *Sedition*, or *Rebellion*.

I have been so copious in insisting on the necessary separation of all *Tenets* that are denominable as *Religious*, from those that are really *Irreligious* and *Seditious* under the gross name of the Religion in any Party, as a thing perfectly just in it self, and necessary for the quiet of the World, and do hope that the Age that is so much addicted here to the improvement and polishing of our *Language*, will incline it to do it self that right as not to give *false* Names to Things, and Names of a contrary signification.

We know that the *Standard* of *England* in the *Mint* refers both to *weight* and *fineness*; and tho a piece of Money may have the Royal Stamp on it, engraven with all possible curiosity, yet if it be not standard, 'tis so far from being allow'd the Name of any *Species* of the Kings *Coyne*, that 'tis instantly to be broken in pieces; and as this is but just so is it but necessary for the quiet of the People, who else detecting it would suspect the whole credit of the Mint, as well as of that *Species* of Money, and would either not take it or else with a Clamour raise the price of their Commodities for it.

And

And thus it is too a thing unreasonable and troublesome to the World, for Men to *Coyne* false words or false denominations for any Tenet in Religion intrinsically defective, what curious stamp of the artifice of any Party soever it may bear: its *reprobate Silver* is not to be call'd *Religion*, and it makes Religion it self lyable to suspicion among the inquisitive, it will trouble every hand it passeth to and from, and in giving a value to it, the People will raise the price of their tolerating it, and the World will never be quiet till its alloy from the true Silver be separated by melting it down, and it takes the name of Religion only when it deserves it.

What is more ordinary then for Clamour to raise this question, *Will you punish any man for his Religion? and will you have any man lose by his Religion?* and I see no end in the disputes of the question but by this Answer, and by this it must find a *Period*, viz. *I punish no man for his Religion*, for that *Tenet* that I quarrel with him about, is not and indeed cannot be *Religion*. It is pure and rank Sedition and Rebellion; and if any *Papist* or *Presbyterian* shall write or speak to make the Kings Power a bubble blown up by the breath of the People and so dissolvable, I shall esteem him fit to be proceeded against by the new Statute of the 13th of this Kings Reign against Sedition, and as a Subverter of the Fundamental Laws, and do suppose 'twill be ridiculous for any one to plead his *Religion* in bar of that Indictment, and he doth moreover deserve to be punish'd as a *Cheater* for abusing the World and himself and Religion too, by calling such a particular Tenet *Religion*, or a Complication of many *Tenets* by that Name, where the vertue of them all is not strong enough to correct the Poyson of one.

The *Scripture* doth punish those with a denunciation of a *Wo* who call evil good, and good evil, that put darkness for light, and light for darkness; and in this particular Point of the calling any of the Idolatries or Impostures of the Heathens or others, by the name of *Religion*, I remember not any instance in holy Writ, tho yet in other Cases 'tis not infrequent for the inspired Pen man to speak *cum vulgo*.

I observe that in the *New Testament* the name of *Religion* is several times applyed to the *Jewish* after the World was freed from the Obligation of it: but one of the holy Pen-men speaking in one Chapter of false *Apostles*, useth the Style of *hating the Deeds of the Nicolaitans, and of holding the Doctrine of the Nicolaitans, and of holding the Doctrine of Balam*: And another of the *Amanuenses* of the *Holy-Ghost* speaks of *Doctrines of Devils*.

If any man shall offer to my consideration a *Scheme* of *Doctrines* that relate to Theology, and I find it is too subtle for my understanding to penetrate, I shall yet be so civil as to allow the *Propounder* to call it a *Religion*: and thus if *Papists* or *Protestants* would agree to call Dr. *Gibbon's Scheme*, a *Religion* or *demonstration* of it, I would not oppose theit calling it any such thing; and the rather since it enjoyns not to me any thing that would break my own or the Worlds quiet; but when *Popery* doth enjoyn so many *Tenets* to be believed that are incredible to a rational Man, and some things that are clearly impossible to a Moral Man, I will call *Popery* in the gross any thing rather than Religion, just as *Tully* saith of those Law-givers who did *perniciosa & injusta populis præscribere*, that they did *quidvis potius ferre quam leges*.

I find not that since the year 1605. *Popery* hath so discriminated it self by any alteration for the beter, as to overthrow the weight of King *James's* saying then to both his Houses of *Parliament*, viz. *That as it is not impossible but many honest men seduced with some Errors in Popery, may yet remain good and faithful Subjects, so on the other hand, none that know and believe the grounds and School conclusions of their Doctrine, can ever prove good Christians or faithful Subjects.*

There

There is one *Tenet* in the *Doctrine* of Popery that your Lordship shewed me once discusst in *Print* by a *Canonist*, and by whom I was directed to trace it, both to the *Gloss* and *Text* in the *Canon Law*, that I having discours'd of, to a Pious and Learned Neighbour of mine, who is a *Roman Catholick*, he obliged me to write to your Lordship, that you would please to let any of your *Amanuenses* transcribe, and to send hither to me the Resolution of that Lawyer, and determination of the Pope in his Law about it, and hath declared to me, that he will joyn issue with me in the Plea about Religion, in that being a *Tenet* or Principle approved by the Church of *Rome*; and your habitual inclination to afford any one, tho a stranger to you, *lumen de lumine*, will (I doubt not) make it easie to you to gratifie my request in his behalf.

He grants to me that if that *Tenet* can be shewn to be one approved by the Church of *Rome*, that he believes there will be no occasion for disputants any more to attaque the *Roman Catholick Religion*, and that as an *Independant* Author in the late times writing a *Pamphlet* against *Presbytery*, had this Title for it, *An end of one Controversy*, it might be supposed that a Sheet of Paper that without strain'd Inferences could fasten that *Tenet* on the *Doctrine* of Popery, would with better success make an *end* of that *Controversy*.

My Lord this Point discusst in *Print*, that I refer to, is as I find it in the *Notes* I took thereof in your Lordships Study, in *Gundissalvus* his *Treatatus de Hæreticis*, *Question. 24.* before which the *Summarium* is thus,

1. *Civitas in quâ aliqui insunt hæretici an tota possit igne exuri, aut alias destrui.*

2. *Civitas quando dicatur hæresim committere, ut universa destrui possit.*

3. *Universitate punita de hæresi an singuli quoque puniti videantur, ita ut amplius puniri non possint.*

The Gentleman being of a nice tenderness of Conscience, and having a quick sense of any thing that looks like gross impiety, was at the very nameing of the first and second *Question*, surprized with a kind of trembling, and was somewhat more discomposed, when I told him that upon consideration of the whole matter, it appear'd even from the most moderate of the *Canonists* that a whole City might lawfully be destroyed with Fire, if the Majority of it were Hereticks, and that there were the Judgment of the Church in the Case; and like a Man of a large and candid Soul, he said, that he was sorry that Humane Nature could in any men so far degenerate, as to deliberate about such their destroying a whole City by Fire, but would reserve his judgment on the Point till he saw it before him in the Quotations out of the *Canon-Law*, as well as *Canonists*. What the Event of his Judgment will be I know not; and I confess I have been very sparing of my time in discoursing with *Roman Catholicks*, about any Point of the *Doctrine* of their Church, since I read it in *Cardinal Tolets Inst. sacerdotum* lib. 4. cap. 3. and 7. p. 612. and in our Countryman *Holcot* a Famous Schoolman in lib. 1. *Sententiarum Quest. 1. ad sextum principale in replica*. That if he hears his Prelate Preaching an erroneous Proposition which he doth not know to be so, and believes him, he doth not sin, but is bound to err because he is bound to believe him, & meretur volendo credere errorem.

And he who believes he shall merit by going out of his way, I am sure deserves, that I should not much trouble my self to go out of mine, to put him in the right.

But this is not the temper of this *Worthy Gentleman*, whom I have reason to esteem a lover of truth *quatenus* truth, and for its own sake, and one who doth not account falshood charming, or *rebellling against the Light* meritorious: and indeed I have observ'd it in some others, as well as him, that after they have deserted the Church of *England*, their inquisitiveness in Religion has not been at its Journeys end, but has still continued in its way, and that so far, that Holy Church and they have oft been apt secretly to be weary of one another.

The Rational Religion they were first educated in, has had the allurements of the *Natale solum*, that they could never wholly overpower.

I have known three *Earls*, one whereof was of the Kingdom of *Ireland*, and the other two of *England*, and all of them were men of great Wit and Parts, and such who being brought up in the Religion of the Church of *England*, went off from it to the Church of *Rome*: but receded not from the candour of their tempers, nor from the Society of their old Friends, nor from the frank readiness to discourse with them, about the controverted Points of both Churches, and neither of them perverted their Wives or Children to Popery, and the eldest Sons of them all, are eminent Sons of the Church of *England*, and do make considerable figures in the State.

One of those three *Earls* is yet living, and in him lives the great example of an *English* Nobleman, adorning Nobility by his intellectual and Moral Endowments, and by a Majesty mixt with incomparable sweetness in his familiar Converse, and by a consummate Loyalty to his Prince that Envy it self never spotted, and by such an exact Observation of his Faith, given to any of Mankind, that he would no more violate it with an Heretick, then with a Patriarch or Apostle, and by having been never suspected from using any *Jesuite-Confessors* to learn how to evade from solid Honour by subtle distinctions, or once to allow the least *Chicanery* in God's Great Court of Conscience.

And if we cast our thoughts on *France*, we shall there find that the great and the brave *Turen* after he had so unfortunately thrown himself at the Popes Feet, had there his Arms as ready to embrace his Protestant Friends as ever.

I have heard of two Crown'd Heads of the Church of *Rome*, who were very unkind to their Protestant Subjects after stipulations to the contrary: the one was *Ferdinand* of *Bohemia*, who when Cardinal *Cleselius* Bishop of *Vienna* told him, that if he made War on the *Bohemians* the destruction of that flourishing Kingdom would certainly follow, answered, *We would rather have the Kingdom destroyed then damned*; the other was Queen *Mary* of *England*, who as the (*Acts and Monuments* tells us) being intent on the Restoring the *Abby-Lands*, and discoursing with Four of her Privy-Counsellors about the same, said, perhaps you may object to me again, that the State of my Kingdom, the Dignity thereof and my Crown Imperial, cannot be honourably maintain'd without the Possessions aforesaid; yet notwithstanding I set more by the Salvation of my Soul, then by Ten Kingdoms: and the Reign of each of these was besmear'd with Blood: but had they been born and bred Lambs, I believe that no Transmutation of the Blood of *Tygres* into them would have made them such.

The Famous *Julian* of whom 'twas said, *Nunc Apostolicus, Nunc Vilis Apostata factus*, had learned too much Christianity, when he was a Reader, to be a raging Blood-sucker; and if when Emperor he had had e're a Name-sake that collected the *Madrigals* or Hymns against him, he would perhaps have done him no harm.

The

The low birth and the Poverty and Mercenary disposition of *Judas*, tempted him to betray his Master with a kiss, but he was so far wrought on by the good Company he had kept, that he afterwards kill'd none else but himself: and they are such perverted Protestants generally that are of the same rate with *Judas* for Birth and Poverty, and poultry Avarice, that I should desire to stand out of the way from and to avoid the Vermine of such *Renegadoes*; and they are only such Popish Princes as *Ferdinand* and *Mary*, that in their Education were never imbued with better Principles than the bloody ones of Popery, that I should fear as Monsters, and account any Kingdom but a Den, if I lived therein with them: and when ever I happen to dispute about that Notion in vogue that Vertue it self in a Popish Successor will be a Nufance, and make him a bloody Bigot, I answer with a *distinction* and grant it is likely to be so in one who passed from the Breast, in Infancy to suck in Sanguinary Principles, but where in any Successor, the Tenets of Popery when he is on the Borders of old Age, are Successors to Principles of a Noble and Rational Religion, that he has grown up into youth and manhood with, I shall account my fears very wild and irrational if my hopes do not grow up with them as to my promising my self, that he will at least answer *Bocelines* Character of the best Reformer of the World, namely, *one that leaves it as he finds it*, and do suppose the practicableness of what is Savage in Nature, being reclaim'd in one Animal toward another it was educated with, will be allowed from the frequent and trivial spectacle of the Lion and the Lamb that were bred up together, and who without the help of Miracle and Prophecy were taught by Nature to lye down together, and shall account the same persons injurious to the World, who fishing in troubled waters of the State, say, *the worse the better*, and of such a Prince educated in Protestantcy and then perhaps turning Papist, *the better the worse*, and especially when the Laws have espous'd us to his Line, *for better for worse*.

Our acute and profound Mr. *Chillingworth* in Mature years went over to the Church of *Rome*, and in his course there made a short turn, and the *Natale solum* of the Church of *England* charm'd him soon back again, and he by the culture of his reason made the Soil a hundred fold amends for his temporary deserting it. But Princes and Potentates are under higher temptations than his low Station placed him in not to be seen to retreat, especially after their having once done it before, and may suppose that other Princes will look on them as more slippery and unsafe to be dealt with, if the same Principles once congeal'd or hardened in them, and afterward dissolv'd should be congeal'd again, just as the Earth is more slippery and unsafe to be walked on in a Frost after a Thaw.

We are told by the Conformist in the *Friendly Debate*, in p. 112. That he has heard some of the Nonconformist Divines acknowledge, that they did not scruple what the Conformists do: but thought it unhandsome for them to do it, &c. And the meaning was, in plain English, that they were ashamed to confess their error.

But if some of those Divines whose low Education conducted them perhaps from being Servitors in the University to domineer in their Cures, and who through the Track of their Lives might be traced by the slime of their Pedantry, and whose Trade was (or should have been) the Study of Divinity (the Precepts of which and their fragments collected out of *Augustinus* and *Aquinas* as well as the example of the former, obliged them to retract those Errors publicly, that they had so utter'd) I say that if they were yet so *Picquez d' Honneur*, that they would not let their fallibility appear in Villages, and even the falsity of those Principles of theirs, by which

which as many *Hundreds of Thousands* here were slain as were bare *hundreds* murder'd in the inglorious Reign of Queen *Mary*, they have true Cause to think it dishonourable for them to restrain their Compassion from any high born Prince, the brightness of whose great Martial Atchievements has dazeld the Universe, and will continue to do it when he is in the shades below, and one who may say as the *Pope* did to the *Jansenists* that he had never studied *Divinity*, and they are very unfit to Cashiere him from the Church Militant, if he doth not in the view of Mankind appear to make a *Retreat* at the Call of their *Trumpet*, which has been known to give so uncertain a sound; and such may be ashamed to dispair of his finding out any false Notions, he may have received in Religion, and to conclude that he hath not privately discovered them because he doth not openly recant them, and to expect that after perhaps he hath erred in the Tenet of *Confession*, he should yet presently make the World his *Confessor* about it, and grant him nothing of the Guard of Honour in the Case, but Monopolize the temptations from honour to their sinful obscure selves.

But as no man can take the measures of anothers Sins without taking those of his temptations, so none but a Prince can know the temptations of a Prince. *Dic mihi si fueris tu Leo, &c.*

The like Pedantry therefore in the great *St. Jerom* was inexcusable as to that sharp saying of his, *Miror si aliquis Rex salvabitur*: and that Satyrical fancy of his hath since met with its Match by some that have sent *St. Jerom* to the Devil as fantastically; for so I find it said in *Dr. Donnes Biadavre*, After so many Ages of a Devout and Religious Celebrating the Memory of *St. Jerom*, *Causæus* hath spoken so dangerously, that (*Ratio. 5.*) *Campion* says, he pronounceth him to be as deep in Hell as the Devil.

Moreover, I think it great injustice to any Prince who has changed his Religion of Protestancy for Popery, that Protestants should at the same time be jealous of his retaining no tincture of his former Principles, that the Bigotted and Jesuited Papists are jealous of his scarce retaining a tincture of his new ones, and by jealousy too, as cruel as the Grave, as appeared by the fate of *Harry the 4th*, who because he did not and indeed could not divest himself of that humanity toward his Protestant Subjects that was riveted in his nature, after he was absolv'd by the Chair of Infalibility, and reconciled to the very *Scorners* Chair of the *Jesuites*, yer merely because he had not a window to his breast through which every capricious Priest might look in at, and might thereby put in what Principles he pleased, they were resolved to cut one there; and after *John Chastel* had begun to practice his incision, an execrable *Apology* for it was Published, in which *Apology* Printed in *Latin* at *Lyons Anno 1611*. the *Affertion* or *Head of Chapter 3d*, *Part 2d* is, *Chastel* had no purpose to kill a King, and of *Chapter 4th* there, *Henry of Burbon* cannot be called a King by reason of his pretended *Conversion*: and of *Chapter 8th* there, *Neither can he be King tho absolv'd by the Pope*, and of *Chapter 9th*, *Neither can he be called a King by the Right of Succession*, and of *Chapter 11th*, *Hereticks and especially relapsed ones are Jure Divino & Humano to be put to death*, and of *Chapter 12th*, *Hereticks and especially relapsed ones may be killed by private Persons, if it cannot be done otherwise*.

The Assassination of *Harry the 3d* of *France* bears with it a *Memento mori* to any *Roman Catholick* Prince, who will not be thorow paced in obeying the Precepts of Bigotted Priests against Hereticks, and to this effect runs the Clamour of the Actions of such Bigots, either you must go our pace to Heaven and Travel by our Mapp, see with our Eyes, and let us ride you when we will, and make you ride over your Heretical Subjects, or we will precipitate you to the Devil.

I mention'd it before out of *D' Offat* that it was known at *Rome*, that *Queen Anne* the Wife to *King James*, had some inclination to the *Roman Catholick Religion*, and no doubt but she was perverted to it in some measure by some of the *Romish* Priests who were then as since insolently over officious to tempt Princes to change their Faith: and tho none of our Histories mentions any thing of her being a Papist or inclining to be so, yet *D' Offat* (as I said) relates how *Villeroy* supposed her to have turn'd Papist: but our Historians unanimously mention one thing, that she was designed as well as the King and Prince and others to be blown up by the Gun-Powder-Treason, a thing that may give one who turns Son of the Church of *Rome* cause to say, *Malle^{me} esse Herodis porcum quam filium.*

No doubt but the mind of any Popish Prince coming out of the cool and sweet Air of a benign and rational Religion, to that of such a torrid Zone and Shambles of mans flesh as the Doctrine of Popery presents, will be oftener in his thoughts travelling back to that Religion than the prying World can know.

But the Gentleman my friend is not any way tempted in point of honour to delay his Return to the Church of *England*; and he lately mentioning to me his wishes of the speedy Arrival of your *Lordships* Papers, told me, that possibly he and I should be both gainers thereby, and that I should gain the Victory and he the Truth, and that he would never account those Priests of *Rome* to be the Missionaries of *Christ*, who if their Doctrine be refused, shall instead of shaking off the dust of their feet in any house, reduce it to Ashes; and further affirmed that it were less absurd and extravagant to wish there were no Religion at all in the World, whether reveal'd or natural, than that any such Hypothesis or Doctrine that Authorised a Practice of that nature, should be universally receiv'd in it as its Religion.

For^{said he} the natural Religion acquaints me with the Divine Power, and gives me hopes of my Creators not rendring me miserable by that Power, and the rather when I have seen that many of the Contemners of Heavens Thunder lived prosperously on Earth, yet if a Model of Religion pretended to be the only reveal'd one shall controuling all the Dictates of natural Religion enjoy the firing of whole Cities, and mankind confused outraging one another, I must abandon my further hopes of Bliss from such a Being as was it self miserable, for so that would be whose nature was still in a fermentation of Anger and Passion, and rear'd up Men as the Workmanship of its hands, only to dash those curious but brittle Vessels against one another, and that even for such a Being 'twere more eligible^{not} to be, than to be always so miserable, as well as 'twould prove so for my self too, then to be always in Torment by Anger.

But we know that as God is the God of Order and not of Confusion, so he is likewise an overflowing Fountain of Goodness, and so infinitely benign, that if his Nature were rightly represented to an ingenious *Atheist*, if he did not at last believe he would ardently wish there were a God: and I think if there be any number of that degenerate sort of Mankind called *Atheists*, (as was said) that such degeneracy must needs be chiefly caused by the mis-representations of the Divine Being.

I have before mentioned how *Tully* in his *de Natura Deorum* shews great Wit in his Anger against the *Epicureans*, for their representing the Deity as unconcern'd for Mankind; and against the rendring God careless of the welfare of his Creature man he there exclaims, *Deinde si maxime talis est Deus ut nullâ gratiâ, nullâ hominum charitate teneatur, valeat.*

How passionately then would he have upbraided any Mushroom Sect of Philosophers, if such had sprung up in the World (as in his time and before there never did) that had represented the Nature of the Deity as solicitous and careful only of procuring the misery of Mankind and disorder of the World, and enjoyning men to spit fire at one another, exposing them to the fury of Wild Beasts if they lived in Desarts, and of wilder Creatures, that is, themselves, if they lived in Cities.

There was an Ingenious and Learned and Pious *Divine*, I mean *Cressy* who in our days forsook the Communion of the Church of *England*, and turned *Roman* Catholick, and went beyond Sea, and returned to *England* in the Conjunction of the *petulant Insolence*, and was so far infected therewith, and likewise with the *Chagrin* incident to sickness, that he writ very peevishly against our Church, and one of our great Church Men; and his Writings were justly censured by the Earl of *Clarendon*: but according to my former Observation, so much of the Character of the rationality of the Protestant Religion that he was long bred up in remain'd in him indelible, that I believe had he been made an *Inquisitor of Heretical Pravity*, he would neither have took away a drop of Blood from any Protestant, nor a hair from his head: and in his Reply to that Noble Lord, he is so candid as speaking of the *Position* charged on *Roman* Catholicks, that no Salvation is to be had out of that Church, to affirm that all Catholicks grant that this is not necessarily to be understood of an actual external Communion, and that many Christians of vertuous devout lives, and having had a constant preparation of mind to prefer truth whensoever effectually discovered to them before all temporal advantages, they dying in this disposition tho not externally joyned to the Church, will be esteem'd by our merciful Lord as true Members of his Mystical Body the Church.

No Papist but one bred a Protestant, could have had thoughts so large concerning the extent of the invisible Church, or fancy that what is before mentioned, is granted by all Catholicks, and should I hear any Priest in a *Fryars* Cowle grant what is abovesaid, I should fancy that he remain'd an invisible Protestant, and that he continued so exuberantly good in his natural disposition as not to be able to frame an *Idea* in his mind of the damning of Mens Souls, and making Coals of their Bodies and Bonafires of their Cities, for mistaken Sentiments in Religion: and had Mr. *Cressy* lived till this time, 'tis possible your Lordship by your Notification of that fiery Tenet of the Papal Church aforesaid, might have been an instrument of his visible Return to our Church; for his labour'd heating himself with Passion upon the mention of the Practice of that thing in his *Church History*, shews sufficiently how he would have abhor'd any Church that abhor'd not that Tenet.

The Place I refer to in his *Church History* is in the 14th Book, 4th Chapter, where he doth strenuously endeavour to prove that *Monk Austin* was unjustly Accused of having killed 1200 Brittain Monks: and having said there §. 9th, yet of late this poysonous humour of Calumniating God's Saints is become the Principal Character of the New Reformed Gospel, he goes on thus, I will add one example more of a Calumniator, to wit, Mr. William Prynne, a late stigmatised Presbyterian, &c. But alas what repentance can be expected in such a person (speaking of Prynne) who is inveteratus malorum dierum, when we see in his decrepit Age his rancorous Tongue against innocent Catholicks, yet more violently set on Fire of Hell so far as to solicit a general Messacre of them, by publishing himself and tempting others to damn their Souls also by publishing through the whole Kingdom, that in the last Fatal Calamity by Fire happening to London they were the only Incendiaries. This he did tho him-

self

self at the same time confessed that not the least proof could be produced against them, but said he it concerns us that this Report should be believed. Complaints of this most execrable Attempt were made, and several Oaths to Confirm this were offer'd, but in vain. But however surely there is a Reward for the innocent oppress'd, and whatsoever Mr. Prynne may think, doubtless there is a God that judgeth the World. Let him therefore remember what the Spirit of God saith, quid detur tibi, aut quid apponatur tibi ad linguam dolosam sagittæ potentis acutæ, cum carbonibus desolatoriis, is what must be given to thee, and what must be assign'd to thee for thy Portion, O deceitful Tongue, sharp Darts cast by an Almighty Arm with devouring Coals of Juniper.

And it follows §. 10. With as good reason therefore St. Austin may be Accused of the slaughter of those Brittish Monks as St. Columban, a holy Irish Monk, &c. might be charged with the most horrible death of Queen Brune-cheld, &c.

This good man certainly apprehended no reason of an additional Commandment, *Thou shalt not fire thy Neighbours house*, and had he been convinced that the Pope in his decrepit Age had made a Commandment for the firing of it, and whole Cities, and had so pronounced *è Cathedrâ*, would probably have imputed the *lingua dolosa*, and the *carbones desolatorii* to his Doctrine, and the smok from that fiery Doctrine would have had the effect of opening his Eyes.

But as for Mr. Cressy's Idea of the Massacring any Incendiaries tho they had been took *in flagranti*, if he had staid in his old Church, I mean that of *England*, he would have found any such thing sufficiently stigmatised by its Doctrine, which makes the King to *bear the Sword*, and that not in vain, and allows not the Rabble to be a *Terror to Evil Doers*, nor Hell to break loose for the support of Heaven, and which inculcates Obedience to the Law of the Land for Conscience sake, and even that Law permits none to Assemble in Arms against a declared Enemy, but by the Kings particular Commission: and he must therefore go to *China* or to *Rome*, that will have a Street or a Town, or the *Universitas* or *Community* therein punish'd, for the pretended or real faults of particular persons.

Moreover the *English Genius* hath not in Story that I know of, been tainted with Infamy for perpetrating any thing of that horrid Nature, except in the old days of Popery in relation to the *Jews*: and the Lay-Rabble was then put upon it by the Rabble of *Fryars* and *Monks*, who owing Money to the *Jews* were that way willing to confute their Creditors.

And since the time that that Great and High Judg of Reason as well as Equity, and to whom the Custody of the King's Conscience was Committed, and who hath held the Scale of Equity with as steady an hand and tender heart, and as discerning and watchful an Eye as any of his Predecessors, did place the dreadful Guilt of the Firing of *London*, where he did at the Condemnation of the Lord *Stofford*, and probably had satisfied his Judgment for the doing of it by Observations or Examinations of Passages that occured elsewhere, rather then at that *Tryal* (for there the Evidence did not rise clear and high enough, for the occasioning that part of his Sentence) and since the time that the People of *England* by their Representatives threw the Guilt of that Fire on the Papists, and the Magistrates of our Metropolis inscribed it on the *Monument*, the populace have been as calm and temperate in their judging of it, and as perfectly free from resentments of Revenge against all the Papists in general, or any one Papist in particular, as if none but that poor angry Antiquary Mr. Prynne had censured them for it, and whose Thunder the World being so long used to, did

did so much despise that his popularity could scarce have obtain'd an outcry for the killing of a single Mad Dog.

I must confess tho by the reiterated Confession, and by the Execution of *Hubert* a Papist, it appear'd that he did set Fire to the House in *London* from whence its rage began, and tho his Confessing of *Peidelow* to be one of his Accomplices in the Fact, exempts it from being doubted that Papists burn'd *London*, and tho after I had heard of that judgment of the Lord Chancellor, and of the *House of Commons*, and of the Magistrates aforesaid, and was shewn that Papal Tenet by your Lordship, I doubted not of the Justice of attributing in my thoughts one part of the Guilt of the Fire to some Jesuited Papists, and that it might be said with the same propriety of Speech that *London* was Fired by the Papists, as 'twas by Sir *Walter Raleigh*, that *Harry* the 4th of *France*, was kill'd by the Papists; yet I never thought any considerable number of the Gentry among our Lay-Papists would have practised any thing of that kind, tho the Pope himself should have Commanded it.

There was a Book containing Observations on our late Affairs of Church and State, Printed in the Year 1680, called the *Arts and Pernicious Designs of Rome*, wherein is shewed what are the Aims of the Jesuites and Fryars, &c. by a person of their own Communion, who turn'd Romanist about thirty years since: and throughout that Book as he in general fortifies my observation of a Protestant when turn'd Papist, not being able to abandon all Candour his mind was first nourished in, so he doth it particularly, p. 25. where having in Proposition 4th, spoke of the Mischiefs we have received from some Popish Orders and particularly that of the Jesuites, he saith as followeth in Proposition 41, viz. *Amongst which the late sad disaster happening to the City of London, (not to mention divers others of like nature happening in divers other places since) if it were a Practice of any Humane Contrivance, and not a meer judgment of God from Heaven upon us, cannot reasonably be thought to have been the Project or Practice of any other Men then these, and to have come originally from Rome, and the Consistory there: who beside the bad Principles already mentioned, which legitimate such doings at all times, that they judge it convenient for their ends, were (without doubt) willing to signalize that year (1666) with some remarkable mischief done to Protestants in check to the fancies of some in that Party, who have had the confidence to affirm, and as it were to predict, that in this year Rome and (their pretended Antichrist) the Pope should be utterly destroyed.*

That it appear'd a Practice of Humane Contrivance by the very Confession of the Incendiary is plain, and that it was by the People in the City then suspected so, I have said, but so far were our plain English natures from charging it on any Lay-English Papist, that Mr. Marvel in his *Growth of Popery*, Printed Anno 1677, having said, *That we may reckon the Reigns of our late English Princes, by a Succession of the Popish Treasons against them, adds, And if under his Majesty we have yet seen no more visible effects of the same Spirit, then the Firing of London, (acted by Hubert, hired by Peidelow two French Men) which remains a Controversie, it is not to be attributed to the good Nature or better Principles of that Sect, but to the wisdom of his Holyness, who observes that we are not of late so dangerous Protestants as to deserve any special Mark of his Indignation.*

I presume not to charge or discharge any sort of men about this Fact further then the Law hath done, whether Papists or Priests, or Fifth Monarchy-men, (for of a Conspiracy to Fire the City on the day it was fired on, several of that latter Sect had been before Convicted, and deservedly Executed for it, as we must either Grant or Arraign the Justice of the Nation, and therefore Mr. Cressy had reason to blame Mr. Prynne in some measure

sure for concluding *that the Papists were the only Incendiaries of the City*, when Mr. Prynne could not have forgot what had happen'd to those Conspirators, and that the very Principles of many of that wild Sect, are for the legitimating the most desperate Out-rages and Rebellions imaginable,) but out of Justice to Humane Nature, will never render any man ill upon ill Proofs, and such as are contrary to the Nature of things, as for example, one Argument which is so prevalent with many for their concluding that *London* was designedly burnt by many Popish Persons, namely, because it was apparently true and not denyable, that the Flames did break out in several places of the City at the tops of several houses, which were at a considerable distance from the Fire, doth not in the least move me so to conclude; for 'tis obvious in Nature, that as the heat of an ordinary Fire will put combustible light matter that is at a small distance from it into a flame, a heat proportionably greater, must do the same thing at a greater distance: and this appear'd in Fact conspicuous to Thousands, while the Fire then broke out from the Timber-work in the Tower of the Old Exchange, when the great Conflagration was a quarter of a Mile distant from it.

Nor yet would I venture in discourse with any Papist about the afore-said *Tenet*, to call it either *Tenet* or *Principle* chargeable on the Church of *Rome* as approved by it, if it were only deducible in the way of Inferences from other *Tenets*; as for example, If one should say the Papists hold that 'tis lawful to burn the persons of Hereticks, and much more therefore to burn their Houses, and to burn the Nest as well as to kill the Bird, and that the Goods of Hereticks are *ipso iure* confiscate, and therefore their Houses; and accordingly I told my *Roman-Catholick* friend that I would never raise this *Principle* of Fire against his Church by Collision of Arguments, but by the help of your Lordships Quotations referring to the *Canon Law* as well as *Canonists*, shew him the Pope claiming the Power, *in terminis terminantibus*, to fire whole Cities as aforesaid, and that long before his Power received so much accession of Territory (as I may call it) of Prerogative by those great Students of *Crown-Divinity*, and Assertors of his *Fifth Monarchy*, the Jesuites.

I do intend to entertain only this my particular friend at this Season, with the Passages I shall receive from you concerning this *Tenet*, because 'tis in me an habitual temper, not *salem nitro superaddere*, or to afflict any afflicted Lay-Papists who may retain some unsound Notions of Religion, and yet be sound Members of the State, and I shall not desire either by words or writing to imitate the ungenerous Practice of the Sons of *Jacob* toward the *Sichemites*, in attacking them *when they were sore*. And moreover reason is thrown away on men in Passion, and during the Paroxysme of Passion in either any Papists or Dissenters, there is no frightening them from an absurdity by Arguments, for there can be nothing more absurd then their very Passion, and while that lasts they are as insensible of the wounds that are made in their Principles by objections, as some in a Battel are of wounds they receive there.

But I am not without hopes of a more *pacific Conjunction* that may come wherein our *Un-Jesuited* Lay-Papists may discriminate their Principles and Notions, from the troublesome ones of others of them, that vex the knowing part of Mankind with their Implicit Faith, like Flies blind in one Season of the year getting into Mens Eyes, and when all empty *Religion-Traders* will no more like the *Merchants* of *Tyre* pass for *Princes of the Earth*, after they had with a bulk of words so long enslaved the World and its *Princes*, and themselves too, and made Religion but the word (as I may say) to *discriminate* Parties in War, and to know *who and who are of a side*, and that

by the Mutual Consent of reasonable men of all Parties the word *Religion*, will not be put on what is really Irreligion, and that a handful of men will think it in vain to strive to keep up the acception or signification of any word or words, when the currency of the age and that justly too, hath damned the former sense thereof, and that all men must speak in the Sense of the Rational Age or not speak intelligibly; and as *he who seems to be Religious and bridles not his tongue, his Religion is vain*, it will be in vain too for him to think to have ought call'd Religion against the sense of the World, and as the *Licence* was vain and ridiculous granted to a *Book of Physick* wherein the Licencer said, *Nihil reperio in hoc libello fidei Catholicæ contrarium quo minus typis mandetur*, so likewise will the Vogue of granting any *Liberty* to any thing of Catholick Faith that has Treason and Sedition in it, be as worthy of Laughter: and then will the Publishing of this *Tenet* be prevalent probably with *Papists*, and prove like a word in season, and tend to the abolishing the abuse of the word *Religion*, when they shall be argued with in the cool of the day, (as our first Parents were after the fall) and their *Fiery Principles* be then exposed, and then may each of them whose Religion so call'd excited their angry Prophets to desire the destruction of Heretical Cities, as the *Choler* of *Jonah* at last animated him tho not to destroy, yet to wish the Destruction of *Niniveh*, be as he was seasonably expostulated with, *dost thou well to be angry?* and dost thou well to be angry with others, who will not call thy firing their houses Religion, when thou seest the World begin to laugh at the impertinence of the calling it so?

The *Author* I cited before of the great *Question to be considered*, begins his discourse with a Patriotly kind of Sagacity thus, viz. *That this Nation and the Nation of Scotland and Ireland concerned with it, are at present in such a posture, and under such Circumstances, as give just reason both of fear and care more then ordinary both to Rulers and People, is so without doubt, that it needs no Proof, and that we are in a dangerous Fever, in regard both to our Civil and Religious Interest, all in their wits must know: which Disease, albeit it be now in the opinion of most come to a Crisis, yet few can determine, whether it will end in a natural cool, or prove a distemper yet more dangerous and deadly.*

But when I consider the great number of those in the Kingdom who are at their ease therein, either by substantial Fortunes or Professions or Trades, and who would account it both trouble and shame to get by Religion, as an adventitious Trade, as much as a great first-rate Practitioner in Law, who had a Receipt for the Curing the Tooth-Ach or Gout would to get Fees thereby, and to have a Mingle of Clients and Patients together, and which sort of Mankind that by the solid weight of their Fortunes or Industry are come to their Center of Rest, must necessarily hate all Projectors of Earthquakes in Church and State, and being well on their *terra firma* will never care to walk on the high Rope with the Poise of a drawn Sword in their hands, and who will never venture their heads by wearing any discriminating Ribbands in their Hats, nor give their heads for the washing or the rebaptising themselves with little Names of the distinctions of Parties, and who generously valuing themselves on unmercenary Loyalty and unbribed Orthodoxy, will neither rob *Cæsar* or *God* of the things that are theirs, and not expect that their Prince should impoverish himself by paying Tribute to them and taking them off by Gifts, more then the Patriots in Queen *Elizabeths* days did, and when I consider that the more thinking and knowing part among these and whose ease is only infringed by seeing so many objects that are uneasie, must needs think and know that solid Trade and Industry can never thrive, nor the Kingdom by it,
till

till the false *Trade* of Religion shall be exterminated, I do fancy to my self that we shall shortly by the strength of this sound part of the Nation, be able to weather the *Crisis* or *decretory* days of our feavourish distemper, and that our disease will end in a *natural cool*, and that as some *fermentation* may be said to be *perfective* as well as destructive, (and indeed life it self is but a Continuation of the vigorous *fermentation* of the Blood which is so long maintained as the *Mass* of Blood is kept hot and Circulating through the *Veins* and *Arteries*) so we shall find this fermentation that has been in the Kingdom prove perfective to it, and a continuer of the life of it. For as one very useful property of *fermentation* is, that while it separates all heterogeneous parts, it leaves the *basis* as it were or main Ingredient of the *Mass* clear and pure, and discards from it recrements or superfluities, and another noble property thereof is, that it exalts the Body fermented to what perfection it is capable of, these effects do I expect of our Political Fermentation (that hard word that is generally used in expressing the present distracted State of the Kingdom) and that it will naturally cause in the Body of the People that *superfluity* of folly as well as *naughtiness* to be thrown off, which will leave the substantial part of the Nation more clear and pure, and will end in *England's* Ballancing it self first and then the World, all our useless Religion-Traders having been swept away as the *dust* of our *Ballance*.

I grant that the Animosities among many Protestants of narrow Souls, and Principles may last too long on the account of Religion, and a great many deluders will make a great many deluded desperately obstinate against their Ecclesiastical Rulers: but the People of *England* are too many to be crowded into the Prisons of such narrow Principles, and this great and active thing called *Nature*, that is always busie and which sometimes doth its business even by mens Idleness (and the necessary effect thereof, their Poverty) will by the general necessitous condition of *Luxurians* and Religion-Traders force them to be industrious, and that industry will bring us to the State of a *Britannia florens*, and too of a *Britannia triumphans*, and rescue a populous Kingdom from the decay of its Trade, that hath happen'd by our having been embarrass'd with a *Holy Kirk* or *Holy Church* Militant against the State, and that affirmation which appeared so senseless in the Theology of a Popish Priest, namely, that *Respublica est in Ecclesia*, instead of the Church being in the Common-wealth, will equally appear so in the Writings of Mr. *Cartwright* (for that he there affirmed) and to be in any man's writings as absurdly said as it is in the *Lexicon Geographicum* in Folio, *Cantabrigia est quoddam oppidum in quo est Academia*.

If any Dissenter should now trouble the Press with ingenious Books to perplex the Layery about the lawfulness of the ordination by Bishops, he would want ingenious Readers; for 'tis now as much out of fashion for People to concern themselves about knowing the demonstrative certainty of the true ordination of their Pastors, almost as 'twas among the *Jews* of old to question who were the true Sons of *Levi* by natural Generation, a thing that none but the Mother knew.

Our *English* World is likely to the end of time, to be too busie to mind nice Questions of the *uncertain Genealogies* of Churches, and each Protestant now will admit of the *Credo Ecclesiam Catholicam* without quarrelling about the *Latinity* of the expression; and as in the *History* of the Council of *Trent* (where the Thred of the Controversie about *proponentibus legatis* runs through the whole Council) when it was told the Pope that *Vargas* granted that if the thing designed were only that the Legates shall propose, no man would have complained, but the *Ablative*, *proponentibus legatis* did deprive the Bishops of Power to propose, and therefore 'twas fit to change it in-

to another kind of Speech, the Pope replied, *That 'twas now no time to think of cujus generis & cujus casus*, so in our Realm all Policy it self whether Civil or Ecclesiastical, will now be accounted but Pedantry, that by any previous questions puts off the debate of *Capital Ships* and their Maintenance and Equipage; and the consideration of the necessity of great Supplies for that purpose, will carry the Vote with a *Nemine Contradicente* among the People diffusive here, that they will give no more Supplies to Religion-Traders, and that in order to the Nations being able as a *Britannia florens* in point of Trade to keep great Fleets at Sea, 'tis necessary that mens expectation should be bankrupt of gain by Castles in the Air, or in fine, that the very Corporation of the Trade of all *Beggars* should be broken which has so much diminished our other Trade.

The great States-man of this latter Age, *Mazarine* projecting the growing Power and Glory of *France*, did not long before he dyed, wisely lay the Foundation of it by the extirpating out of the Metropolis and other Cities of that Kingdom, those publick Nuisances there called Beggars, and since all *Religion-Traders* are in truth and reallity of the Trade of *Beggars*, and the Multitude of them at present diminisheth the shame of that very Trade, the destruction of it will probably by all be judged as the first thing necessary for the advancement of other Commerce. And as the wisest course I ever heard of, taken for breaking the Trade of *Beggars* in the Streets was that by the *Justices of Middlesex* in their Printed Papers, sent to the Church-Wardens, Overseers of the Poor, and Constables of the respective Parishes in the Suburbs, whereby *all Persons are desired and required by their Order* to forbear to relieve any Beggars at their doors, or in any other kind about the Streets, so in like manner will nature probably by the real Poverty of People cause them to forbear to give relief to these Religious *Mendicants*, and will thereby break their Trade.

And moreover tho there hath in all Ages been another sort of Traders, and who too were but splendid Beggars, and by their importunity in *Courts*, and with artifice representing the Sores and Maims of their Estates have moved the Royal Commiseration to exhaust its Revenue on them, yet the vast publick charge likely to be impendent over us as well as our Neighbours will shew those First-rate Mendicants the vanity of the Science of *begging*, a Science that *Agrippa* doth very well Animadvert upon, in his Book *de Vanitate Scientiarum*.

And there being no way for the Heirs and Children of our many *Luxuriants*, to get from under the loads of debts and Incumbrances bequeath'd them, but by industry and frugality, I account that they will be necessitated to mend the *Genius* of the Age, and so to contribute to the advancement of Trade.

When the *Author of Britannia languens* doth (I fear) too truly tell us, p. 139. *That our late wealthy Yeomanry are impoverished or so much reduced in their Stocks, that a man shall hardly find three in a County able to Rent 3 or 400 l. per Annum, and that our Poor are encreased to near ten times their late number within these last twenty years, and that their maintainance doth cost the Nation 400000 l. per Annum constant Tax, and had before in p. 138 shew'd, That the Trades of Tillage, Grazing, Dairy, Cloathing, Fulling, that formerly enriched the Occupiers of them, have in these latter years been the usual Shipwracks of Mens Stocks and Estates in most parts of England, and in p. 27. That we have in a manner lost the Eastland and Northern Trades, and in p. 240 shews, That the cheapness of Interest doth not proceed from the plenty of Money but scarceness of security, and there observes, That Personal Security for Money being in a manner lost, and that there is not one Land security in*
twenty

twenty that is good, and in p. 291. *I hear of no new improving Manufactures in England but that of Periwigs*, we may well account that the Ebb of our Trade is at the very lowest point, and that under so good a Prince in so good and populous a Land, nature will hasten its improvement.

Tho the understandings of the *English* have in all Arts and Sciences appear'd as sharp as those of any Nation, and particularly in the Science of the *Politics*, yet so it has happen'd that since the *Reformation* our Statesmen have been so put to it by the efforts of *Popery* and other *Religion-Trades* to stand continually upon their Guard, and have been so worn out by continual duty, that they have not had time to make Platforms of improvement of Political Discipline, or to acquaint the World with their *Memoires* as many of the Statesmen of *France* have done, and the great *Ship* of the *Nation* in its Trading Voyages (as I may say) under Sail, and making a great figure in the Sea of time, and having experienced Pilots at the Helm of State, hath yet been so clog'd in its *motion* by the little fantastick *Remora* of a pretended Religion sticking to its side in several Conjunctions, that our making no more way in the World hath appeared a Jest to Critical Spectators, and no doubt but *pending* the Authority of a *Religion-Trade*, as *paramount* over others in this or any Country, its fate will be like *Reubens*, never to excel. Not only our Statesmen but our *Princes* in former times tho their abilities were very great and adequate to support the weight of the Government had it been greater, were yet exposed to perpetual toyl, by *ballancing* the Religionary Contest, viz. of the Parties of *Papists* and *Puritans*; which minds me how it hath been wondered at, that a strong Horse should not draw a *one wheel'd* Coach with a great deal of ease, considering that he only bears up part of the weight, and keeps it upright to a *Ballance* by *thills* on either side of him, and that by experience 'tis found that this Horse becomes weary sooner then expectation: and the reason of it is conceived to be, that tho he bears not so much burthen nor draws so much draught as a Coach or other Carriage with two or more Wheels, yet he is so bruised and banged on either side with the unusual motion of the *thills* to keep the one Wheel'd Coach upright, that he is thereby much sooner spent and wearied then by ordinary drawing or bearing he would have been: and thus neither better nor worse, hath been the fate of our Monarchs and their Ministers, to be continually throughout the Journey of their Lives hit on this and 'tother side, and bruised with the Thills of *Popery* and *Presbytery*, while they were keeping up Religion to a Ballance; but I believe 'twill appear a shame to us that they should be thus the *Ludibria* of Fortune any longer.

The *Author* of the *present State of England*, Part. 2. saith, *That the yearly Charge of his Majesty's Navy in times of Peace continuing in Harbor, is so well regulated that it amounts to scarce 70000 l.*

Had he heard my Lord-Keeper *Bridgeman's* Speech to the Parliament, Anno 1670. he would there have been informed, *That His Majesty finds that by his Accounts from the year 1660 to the late War, the ordinary Charge of the Fleet, Communibus annis, came to 500000 l. a year, and that it cannot be supported with less.*

His Lordship in that Speech mentioning to what proportion our Neighbours had augmented their Fleets, and how it import'd His Majesty to keep pace with them, if not to outgo them in number and strength of Shipping, minds me of the Force of that saying of *Cicero* to *Atticus*, L. 10. Ep. 7. *Qui mare tenet, eum necesse est rerum potiri*, and the truth of it is much more applicable to the State of the World now, then that in his time: and we shall always be but *damnati ad insulam*, if we do not by a vigorous industry so supply

our selves as to be able to supply our Princes, and so as to enable them to make the Naval Strength of *England*, as proportionable to that of other Nations, as it can be made.

As the ordinary charge of the Fleet for several years, came to the great above mentioned Sum, so I believe that the ordinary Naval Charge never since amounted to less then 200,000 *l. per Year*, beside the vast Charge in building new Ships and rebuilding old, and the Charge of Summer and Winter Guards, and of Convoys and of Ships against *Algeers*: and His Majesties most exact care of the defence of the Walls of the Kingdom hath been such, while he beheld the emulous endeavours of Nations to excell in Naval Power, that he hath enrich'd his Realm since the Year 69, with a more valuable Fleet then it had before: and the great Cordial that Nature allows us against *Wars*, and *Rumors of Naval Wars*, when we are dejected with the shame of our Civil Wars having occasioned the Neighbouring World to augment its Naval Force, and consequently too our own vast perpetual Charge in the augmenting ours, is that by the necessary encrease of our industry we are capable of defraying it, and herein Providence is but just in treating us in the Confinement to our Island, as the *Dutch* do *Idlers* sent to their *Work-houses*, where care is taken that if they do not the Work appointed them, the *Sea* will come in upon them: and 'tis well for us that accordingly as is shewn in the 8th Chapter of Sir *W. P's Political Arithmetick*, there are spare hands enough among the King of *England's* Subjects to earn Two Millions per Annum, more then they now do, and there are employments ready, proper and sufficient for that purpose.

His expression of the *spare hands* of the *English* minds me, how we who did before our *Commotion* only pay to our Kings, the 6th part of the *spareable part* of our *Estates*, (for that was what Mr. *Vaughan* afterward *Lord Chief Justice* declared in the House of Commons, to be the proportion that men were to be taxed in the old gentle way of Assessments, called *Subsidies*) were forced upon those manifold payments to the Usurpers, that amounted to one entire *Subsidy* in each Week of the Year, when as what we payed before exceeded not usually one *Subsidy* or 15th in two or three years space.

And afterward when instead of the demanding of Five Members from the Parliament, above 400 were forcibly secluded from it, most Exorbitant Taxes were Levied in the Name of a *House of Commons*, in which instead of 508 Members as the legal Complement of its number, and of 78 Knights of Shires for *England*, and 12 for *Wales*, there were no Knights of the Shire at all sitting in that House for these 26 *English* and 11 *Welch* Counties following, viz. *Bedfordshire*, *Cornwal*, *Cambridgeshire*, *Derbyshire*, *Devonshire*, *Dorsetshire*, *Essex*, *Glostershire*, *Hartfordshire*, *Herefordshire*, *Lincolnshire*, *Lancashire*, *Middlesex*, *Monmouthshire*, *Norfolk*, *Northumberland*, *Oxfordshire*, *Surry*, *Shropshire*, *Southampton*, *Suffolk*, *Somersetshire*, *Sussex*, *Westmerland*, *Warwickshire*, *Torkshire*, *Anglesey*, *Brecknock*, *Cardiganshire*, *Carmarthenshire*, *Carnarvanshire*, *Denbighshire*, *Flintshire*, *Glamorganshire*, *Pembrokeshire*, *Montgomeryshire*, *Radnorshire*, and but one Knight of the Shire in each of the 9 following Counties, *Berkshire*, *Cheshire*, *Huntingtonshire*, *Kent*, *Leicestershire*, *Northamptonshire*, *Staffordshire*, *Wiltshire*, *Worcestershire*, and only the full number of Knights of the Shire in *Buckinghamshire*, *Nottinghamshire*, *Rutlandshire*, *Merionethshire*.

And *Tork*, *Westminster*, *Bristol*, *Canterbury*, *Chester*, *Exeter*, *Oxford*, *Lincoln*, *Worcester*, *Chichester*, *Carlisle*, *Rochester*, *Wells*, *Coventry*, had no Citizens in the House, and *London* had only 1 instead of 4, and *Glocester* and *Salisbury* alone of all the Cities in *England*, had their full Number, and by a parcel of

of about 89 permitted to sit, was the whole *Clergy* as well as *Layety* of *Eng-land* Taxed.

Nor is it to be forgot that after the great Usurper by his own Authority, only laid a Tax of 60,000 *l. per Month* on us, he afterward found a giving Parliament that Calculating the Charge of the Nation, judged it in the whole to amount to 1300,000 *l. per Annum*, whereof 200,000 *l.* for the Protectors support, 400,000 *l.* for the maintenance of the Navy and Ports, and 700,000 *l.* for the Army, as we are told out of the *History of the Iron Age* printed in the year 1656: and that they who grudged the best of Kings the ordinary yearly Revenue of less than half a Million, were brought to settle more then double that Sum on the worst of Usurpers, viz. 1,300,000 *l. per Annum*, and that by their helping him into the Power to break the Ballance of Christendome as he did, they have entailed on us and our Heirs, a necessity of *labouring* hard for ever, to expiate the Guilt and Folly of their idle Politicks.

The Plenty and Pride and *Idleness* here that occasioned our Civil Wars, and the *Tessera* of one of the *Roman* Emperors, *Militemus*, and the various discriminating words and signs of Religion, have brought us to the *Tessera* of another of them which will stick by us, namely *Laboremus*.

But as 'tis to be seen in *Scobels Collection* of *Acts*, Anno 1656. cap. 6. in the humble Petition and advice of *Cromwel's* Parliament, the 7th Paragraph, which Enacts the Revenue, mentions nothing in particular of the 1,300,000 *l.* yearly, to be settled for the Protectors support, but provides that as a constant yearly Revenue for the support of the Government, and the safety and defence of these Nations by Sea and Land, 1000000 *l.* be settled for the Navy and Army, and 300,000 *l.* in general for the support of the Government.

I should not dilate on the Subject of those past Calamitous Times of our Country, but that so great a Number of those who experimented them, and were Actors or Sufferers therein is now dead, that this Age wants the Poize or Ballast of their experiences to keep it steady and secure, from being overset by Waves of Sedition, or Winds of Doctrine. There are several Latine Sayings about War, of which the Pedantly Citation is nauseous, as was particularly *Sorbiers* valuing himself on the Motto of *Pax bello Potior*: but there is another saying familiar to Grammar Schools, whence the most Oracular Men in Cabinets of State may, and indeed ought to take their Measures and Estimates of the probable Continuance of the publick Peace in any Country, and that is from the Consideration of the Numbers of the Inhabitants that never felt the misery of War, and that saying is, *Dulce bellum inexpertis*, a saying that was thought to give an Ornament to the Monumental Inscription of our *Harry the 3d*, among the *Westminster* Monuments, the Epitaph of which Prince whose Reign moved so much in the bloody Track of War being there thus,

Tertius Henricus jacet hic pietatis amicus.

Ecclesiam stravit istam quam post renovavit.

Reddat ei munus qui Regnat Trinus & unus.

Tertius Henricus est Templi conditor hujus, 1273:

Dulce bellum inexpertis.

And long before that obtained as a Latin Adage, it was one in Greek, viz. *Γλυκὺς ἀπειρῶ πόλεμος*: and it is well said in *Vegetius De Re militari*, lib. 3. cap. 14. *Nec confidas satis si tyro praelium cupit. Inexpertis enim dulcis est pugna.*

And

And in *Pindar* 'tis said, Γλυκὺ δὲ πόλεμος ἀπείροισιν, ἐμπείρων δὲ τις τὰρ βῆ
προσιόντα νιν καρδία περυσῶς, i. e. *dulce bellum inexpertis, ast expertus quis-*
piam horret, si accesserit cordi supra modum.

The sense of this weighty *Adage Horace*, applyes to the Contracting
Friendship with Great Men,

*Dulcis inexpertis cultura potentis amici,
Expertus metuit.*

And no doubt but the reason that induced the *Romans* to place their *Tyr-
rones* in the *Van* of the Battel, was that their not knowing all the uncer-
tainties and horrors of War, would contribute to their eagerness in the on-
set. Partly to this purpose Mr. *Hobs* in his *Behemoth* or *History of our Ci-
vil Wars* observes well, *That there were at first in the Parliaments Army a
great many London Apprentices, who for want of experience in the War,
would have been fearful enough of death and wounds approaching visibly in glis-
tering Swords, but for want of judgement scarce thought of such death as comes in-
visibly in a Bullet, and therefore were very hardly to be driven out of the
Field.*

And now therefore should any Great Person descend to ask my poor Opi-
nion of the proportion of the danger we are in of a Relapse into the Plague
of War, I would give it by bringing the Doctrine of *Dulce bellum*, &c.
into use and application thus, namely, I would Calculate the number of the
inexperts now here living, and who were not living in the time of the
last War, a thing not hard to do sufficiently for my purpose: and thus I
essay'd to do it the last year when I fancied to employ my thoughts on that
Subject, diverting my self with these *Queries*. 1. *What part of the People of
England now living, are inexperts, i. e. who are now alive that were born
since the year in which our Wars ended, or were then Children, viz. Of such
years as not to have experienced, or been sensible of the miseries and incon-
venience of the War?* 2. *What numbers of those who lived in 1641, about
which time the War may be supposed to have begun, are now dead?* 3. *What
proportion of those now living, who lived in that time of the War, did gain by
the War; for it may be said that perhaps War may be sweet to such survi-
ving experts.* 4. *The War of Ireland ending about the year 1653, how many
may the number of such inexperts there be supposed to be?* 5. *The People of
Scotland being now above a Million (as are the People of Ireland) and the
Scotch War ending at Worcester Fight, September the 3d, 1651. How many
are now living in Scotland that lived there that day, and what may be the number
of the inexperts there?*

In order to the satisfying my self in these *Queries*, tho I know that
many do make the Civil Wars of *England* to end with the surrender of
Oxford in Mid-summer 1646, yet because several Acts of War in *England*
were committed long after 1646, viz. in *Lancashire*, *Kent*, at *Colchester*,
Worcester, I supposed not the *English War* to end till 1651, about the same
time with that of *Scotland*; both Kingdoms as they are but one Island, so
intermixing and bringing mutual Calamities on one another: and besides,
a few years at that distance of time would not much alter the State of this
Case: so then as to the first and last *Queries*, I thus concluded that the Peo-
ple of this Island in the year 1651, were and always are about one half of
them under the age of 16, (before which time as they are reckoned unfit
for War, so may they likewise be thought *inexperts* as to the miseries there-
of) and the other half above that age; and that of this latter half more
then one other *Moyety* are dead in these 28 or 29 years, which have passed
from

from 51 to near 80. For if we reckon only *Arithmetically* without any Consideration of *Geometrical* proportion in the Case, (which with reason enough the *Observer* on the *Bills of Mortality* takes in) yet $28\frac{1}{2}$ (the number of years in 51, in which the said half are supposed dead) and $27\frac{1}{2}$ (for the years of the other half surviving) and fifteen (for the Age of the *Inexperts* from 1651) makes 72, the full Age of Man : so that the surviving *Experts* are not a *fourth* of the whole. And again at least one half of this *fourth*, either through forgetfulness by Age or Dotage, or for want of understanding all their whole life time, may be very well counted among the *Inexperts* also. And thus the *Inexperts* will be above *seven eighth* parts of the whole People.

And if in answer to the third *Query*, we shall add the Number of the Gainers by the War, (which perhaps some will estimate but small) and of those who lost by the Peace and Settlement on the Kings Restoration, with the Heirs, Executors and Principal Legatees of both, (and to these three last sorts, the War was so very sweet, that they may very well be reckoned for the Equivalent of three or four, or perhaps many times more the number of the other common *Inexperts*) we may on the whole matter judging modestly, conclude the *Inexperts* of all the former sorts, not to be less then ($\frac{9}{10}$) *nine Tenths* of the whole People: and to these also they who have spent their Estates, and cannot well live in Peace may be properly added.

I satisfied my self as to the fourth *Query*, concerning *Ireland*, that it may bear at least the same proportion, with what was asserted in relation to *Great Brittain*: and tho the War in the former lasted some years longer, yet there are other Considerations obvious enough, that would more then ballance that.

As for the *Query* about how many are now dead who were living in 41, the Principles I have variously discoursed of out of the *Observations* on the *Bills of Mortality*, may easily satisfy Curiosity therein.

I account that of the Lords Temporal in the Kings Long Parliament, that sate the 8th of May, 1661. there were dead 77 at the Dissolution of that Parliament, in January the 25th, 1678. And of the 26 Bishops that sate on the 8th of May in that Parliament, only 2 were alive in the 25th of January, 1678. And of the *House of Commons* which sate in the 8th of May 1661. And consisted of about 520 odd Members there died during their sitting, viz. in 17 Years and 8 Months 307 Members, viz. in each year about $\frac{1}{17}$ th part, which is one in about 30 of the whole of that House every year.

And these things considered, we may well conclude that of the *Parliament* that sate on the 3d of November, 1640, there are few living, and I think that of that turbulent House of Commons, scarce 16 are now living, and that of the *Assembly of Divines* that met the first of July, 1643. all the *Divines* except 2 are dead. The Sculls of many of those hot Spurs of Church and State, that troubled us so much on the Stage of the World, have perhaps since diverted us in the Scene in *Hamlet*, and no doubt but of the poor handful of surviving *Experts* of them, the most considerate are not now considering how by any Projects to put the World either in Tune or out of it, but are tuning their fancies to the *still Musick* of the Grave.

We see that many of the Sons of the *Divines* of that *Assembly*, and of other Presbyterians, are true Sons of the Church of *England*, and are of the Clergy in it.

But tho I am no Concurrer with their Estimates, that make the number of those who gain'd by the War to be small, for as the Judicious Author of the

Regal Apology, Printed in the Year 1648, (and by the *Oxford Antiquities* said to be, Dr. Bate the late Eminent *Physitian*) in p. 49 estimates, *That the Revenues of King, Queen, Bishops, Deans and Chapters, and Delinquents in the hands of those Usurpers were almost one Moiety of the Kingdom, besides many rich Offices, &c* and as to the multiplicity of Offices then, a very ingenious Pamphlet written in those days, call'd the *City Alarm*, with a *Treatise of the Excise*, mentions in p. 33. *That 'twas easie to demonstrate that more then 200,000 l. per Annum, was then consumed by superfluous Officers :* (which by the way sufficiently shews the ill Managery of the publick Treasure in those days) and tho I have put the rate of the Heirs of such above that of common *Inexperts*, yet I am not without hopes that possibly some what like a sort of *Experience*, that many of those Heirs have from the latest Histories and Traditional Accounts had of the breath of the People having blown away that mighty *Ballance* of Land out of the hands of the unjust Possessors, and all their *Models* of Government built thereon, and of many of their Ancestors who had by their Swords acquired ample shares of the Spoyles of the Crown, and Church, and Cavaliers Estates, growing ashamed of their unjust Victories, and the Yoke they have brought upon themselves and the Kingdom, and affraid of their Estates and Liberties, not being ensurable under a fluctuating Military Oligarchy, thought it the best of their Game to aspire with their *All* to the feet of their Lawful Sovereign, and to be his Restorers without Capitulation, may incline a considerable part of such, and who are not desperate in their Fortunes, and have perhaps inherited the Blessing of their Ancestors penitence, by their Peaceable Morals to make such an exception in this case, as may confirm the Rule and make them according to the expression before used, become *sound parts of the State*.

Another momentous thing cannot but be obvious to the thoughts of the Considerate among them, and all Orders or Parties of men here, that if the divesting the unjust Proprietors of about half the Land of *England*, by the necessary Course of the Law at the Kings Restoration, did in making so many persons and their dependants *Paupers*, and useless in the improvement of the Land, and many to be Nuisances in it, as troublesome Solicitors and Barretors, and many likewise to withdraw to our Forraign Plantations, and to our *insula Sanctarum* call'd *Ireland*, unavoidably make the price of our Land sink to the proportion it hath since done, that if any Sons of *Belial* and disloyal persons, should be ever able by a new *Commotion* to introduce the old Confusions among us, and dispossess the Proprietors of about half our Land as formerly, that *England* it self would turn *Ireland*, and our Land perhaps be valuable but at ten years purchase.

And tho the *Experts* now in being among us are comparatively few, yet is the work of the Loyal part of them so easie to demonstrate to their Vicinage, every where the dreadful inconvenience of essaying to mend the World by War, that one *Harvy* could not more easily among the judicious, propagate a general Notion of the *Circulation* of the Blood, then may a thousand of these shew to Millions of others, the impious folly of *Blood guiltiness* again incircling our Land, and especially when all our Blood and our Treasure is necessary to be preserved for the Defence of the Realm, in a Conjunction that hath put Christendom *in procinctu* : and therefore 'tis but according to the Course of Nature, that in such a season the generality of Peoples minds here should manifest such an *Abhorrence* of both the *Irish* and *English* in 41, and that the *Religion-Trade* which had us at its feet, being now at ours, if it should again struggle to get uppermost as formerly, is to expect from so many to find the salute of the rising blow.

And

And as I love to think of these things without asperity, or offering the least Violence to the Sacredness of the great Established *Amnesty*, so do I observe the same inclination to be very prevalent among the weightier persons of the several Parties.

The smallness of the Number of Persons now living that wanted that *Amnesty*, makes men generally concur in not esteeming it, *tanti* to wish it broken; but tho most of our former Empirical State-Physicians are covered with Earth, their Errors are not, and People seem generally sensible that both the present, and in likelyhood the future State of *England* will not allow of Political Physicians, trying more Experiments on us, and particularly the former churlish ones that succeeded ill, and especially in a Conjunction when nature is by necessity leading us to a Convalescence.

As in *Boccalines Politick Touch-stone*, Where the Monarchy of Spain is represented, throwing her Physician out of the Window, and Apollo desiring to know the Cause of it, she told him how about 40 years ago, she asking Counsel of her Physician, he prescribed her a tedious and chargeable Purge of divers Oyls of Holy Leagues, of Insurrections of People, of Rebellions, of Canteries and other very painful Medicines that had wasted and weakened her spirits, and that he prescribing just such another Purge as before, was therefore thrown out at Window, so would such Purges and such Purgers as we were troubled with forty years ago, be here deservedly dealt with now.

How ridiculous will any Demagogue now appear, that should in an *English* Parliament harangue it against supplying the King, in such a manner as Sir John Elliot and Mr. Pym did 4th *Caroli*, who then (as *Rushworth's* Collections tells us) moved in the House of Commons not to yield the King Tunnage and Poundage, till they had first settled Religion, touching the Points of *Arminianism*.

They might as well have moved that the King might have no Money, till they had found out the *Longitude*, and likewise discovered the *Quadrature* of the Circle, and they by that motion would have ensured to him the name of *Pochi-Dinari*, that my Lord Herbert in his *Harry* the 8th says, was given to *Maximilian* the Emperor, for his famed want of Money.

But that wantonness of Popularity, did shew the worse in those two great Demagogues of their Age, for the ingratitude it carried with it, they moving so in the House of Commons as they did so soon after the great Royal Concessions as to the *Petition of Right*, and might well excuse the Great Earl of *Strafford's* then quitting their Company.

But I shall here observe to your Lordship, that after the discovery of the Gun-powder Treason, viz. 3 *Jacobi*, the Parliament gave him three Subsidies, and six Fifteenths and Tenths of the Layety, and four Subsidies of the Clergy, all which by estimation amounted to 453000*l.* and it was but just in them then so to supply the Crown after the detection of that Conspiracy, because it appeared by several Examinations, That if it had taken effect, an Association of Forraign Roman Catholick Princes by a Solemn Oath like that of the Holy League in France, was designed to have assured the business afterward: and it was but natural for the Parliament believing the same, to enable their Prince with a Counter-mine of Gold, to blow up the Associated Purses of those Forraign Princes; and no doubt but by the very Noise of that liberal Supply being heard abroad in the World, that Association was Thunder-struck, as any one else must be in a Conjunction when the Nations abroad shall see our Prince provided with effects, as King James was as aforesaid, a Conjunction I despair not of seeing, nor of its influencing the World with Terror as did the very sound of the supplying the King by the last *Pole-Act*, to enable him for a War with France, and which was the Cause

Cause that the *Panic* Fear in some of our rustical *Plebs* of the *French* landing in the *Isle* of *Purbec*, and when some of the poor adjacent *Mobile*, in the air of their fancies heard the noise of *adventare Gallos*, as *Alexander ab Alexandro, genialium dierum*, l. 3. c. 14. saith, *Gallis etiam Senonibus ad urbem properantibus in novâ viâ ubi alloquutionis postea templum fuit, vocem auditam quæ Gallos adventare diceret, inter exempla relatum est*, was not more opprobrious then that fear of the *French* that marched off an Army and Royal Fleet so abruptly out of *Scicily*, when they heard a voice of *Adventare Anglos* (which evaporating of the *French* Forces from thence, as it was a sufficient indication that there was no perfect love between our Kings great Minister of that time, and the *French* Ministers, for perfect love casts out fear, and had there been any perfect good understanding between him and them, the nois'd *Adventare Anglos* would not have exorcised them out of the body of that Kingdom) so it perhaps proved an occasion of the perfect *French* Hatred against his Lordship, that he so satisfactorily acquainted our *English* World with in one of his solid and sinnewy Printed Vindications) and I do believe that the future Warlike State of Christendom, will necessarily prompt all that affect to be *Patriots*, instead of studying to make men unwilling to promote publick supplies, to bend their brains in the way of *Calculation* to shew what the Kingdom is able to contribute to its defence, and how to do it with equality in Taxes and Levyes, and that he will appear the most popular man who shall shew our Representatives, how and in what proportion the Rateable parts of Mens Estates may be rated, a thing that I hear Sir *W. P.* in his Manuscript called, *Verbum sapienti*, has essayed to do, and given his Sentiment, that supposing a *Million* should ever be raised in *England*, there should be Levyed on the

	m.	ll.	
Lands-----	216	viz.---	$\frac{1}{10}$ of the Rent.
Cattle-----	54	viz.---	$\frac{1}{600}$
Personal Estate-----	60	viz.---	$\frac{1}{60}$
Housing-----	45	viz.---	12 d a Chimney in London, 10d without the Liberties: 6d in Cities and Towns, and 4d elsewhere.

People-----625 at 2s. 1d per Head, or rather a Poll of 6d and 19d Excise, which is not full $\frac{1}{8}$ part of the mean expence, and he doth there Chap. 9. §. 7. with great Judgment insinuate, That the over-favourable taxing personal faculties and Estates makes Plebeians richer and surlier, and that the effect of which may be feared as a tendency to Democracy.

How favourably such Estates were Taxed when *Subsidies* were in use, I have shewed, and how very little they came to in the Execution of the last Poll Bill is fresh in Memory, and yet in the *Dutch* Republic, when the States raise an extraordinary Tax sometimes of the 1000th, sometimes of the 500th, sometimes of the 200th part of every Mans Estate richer or poorer, and men are Taxed therein according to Common Fame and Report by their Magistrates of their several Cities and Towns, and the Party grieved at his Assessment declaring on his Oath that his Estate is not worth so much will be always relieved, it is very rarely seen that any man makes himself poorer then common Report speaks him, by means whereof that Tax is very considerable: and therefore for us to debase our Government by the making of that Tax so low, when they advance theirs, by chearfully making it so high, will to the Loyal Lovers of our Monarchy naturally in time seem unreasonable.

I believe then that he will be the most Celebrated Parliament-man, that can in any *Mony-Bills* direct the making the *Levy* generally proportionable, (according to that saying *in pari jugo facilis est tractus*) and can in the Debate of any *Book of Rates*, provide against the danger of a clogging of Trade, which he who takes wrong measures in burthening, doth (as one saith) *put a pound Weight at the end of a Pole, which is heavier then twenty times so much placed at the hand, and doth thereby work down Land Revenues, more then the Sums actually paid, &c.* and can demonstrate what burden the People can well bear, and that Parliamentary Imposts may be put on them in the way that men use to lade the *Camel* when he lies down, so as he may cheerfully rise up with his burden, and how that which is the *second Principal Conclusion* in Sir W. P's *Political Arithmetick*, viz. *That some kind of Taxes and publick Levies, may rather encrease then diminish the Common-wealth*, may be render'd applicable to us, (and in his explicating which *Conclusion* he doth not as a Propounder, but as one having *Authority*, namely, that of Reason, Instance in three various Taxes for *England, Scotland* and *Ireland*, that would encrease the wealth of the same) and how, to provide for *Equality* in Taxes, Mens Estates may be as accurately weighed as they were of old by the *Roman* Prudence, which for that purpose instituted the Office of *Censors* (and when in the *Censes* the *Civil Law* ordered the *Censors* Estimates to be registred, and both the *bona Mobilia* and *Immobilia* to be registred, and even the Sums of Money at Interest to be registred and the names of the Debtors, and this upon Oath, and in the registration of Lands their true value was set down and how they were fertile or barren, and every Tax was Collected where the Estimate was made) and that the *Quota* of Taxes might not be sunk by Peoples being return'd as real or feign'd *Paupers*, the whole City was ratably Taxed to make up the *Capitation* or Pole-money for *Paupers*, and that the People might be exactly numbered, and all this to be done every five years, the time when new *Censors* entered into their Office, and to which the word *lustration* refers, and how to *Copy* out the *Politics* of the House of Commons in Queen *Elizabeth's* time, when the securing the Protestant Interest at home and abroad, made them so inclinable to look on the giving her Mony to be the great *quid agendum*, and on which they thought depended both the *Law* and the *Prophets* in the *English* Tongue, and when as we are told it in *Townsend's Collections* very great masterly skill was shewn in Debates as to the proportioning the Taxes, and particularly by those great Masters, Sir *Walter Raleigh*, Secretary *Cecil*, Mr. *Francis Bacon*, and when *Cecil* accurately Calculated in the house how much a Levy came to wherein the Respective *Quota's* laid on Land and Goods were mentioned by him, and more skill was really shewn in Proportions and Estimates of the Publick Money to be raised then has by some Parliaments in this Age, been endeavoured after or perhaps so much as pretended to.

The long Parliament of 1640 seem to me in their Taxes in *London*, and the Associated Counties to have provided only that their concern in the Kingdom might *vivere in diem*, but hath occasioned the disproportionate and immoderate weight of the Taxes in some places of those Counties to be perpetual. And the prodigious Taxes laid on the Inhabitants of *London*, during the War after 41 did not end with it, insomuch that *Lilly* the Astrologer in his vile Book of *Monarchy, or no Monarchy in England*, Printed in the Year 1651. saith in p. 92. *My proportion in the Ship-money was 22 s. and no more, but now my Annual Payments to the Souldiery are very near or more than 20 l, my Estate being no way greater than formerly.*

In the Parliament in *Anno Domini* 1605. and *Anno Reg. Jac.* 3. there was passed an *Act* for the granting 3 entire Subsidies and six fifteenths and tenths granted by the Temporalty to his Majesty, with the Reasons why granted, and the great advantages his Majesty hath been to the Kingdom. And in the *Act* it is *inter alia* said, *A first and principal Reason is, that late and monstrous Attempts of that cursed Crew of desperate Papists, to have destroyed your Excellent Majesty, the Queen and your Royal Progeny, together with the Reverend Prelates, Nobility and Commons of this Land; assembled in Parliament, to the great Confusion and Subversion of this Kingdom. The barbarous Malice in some unnatural Subjects, we have thought fit to check and encounter with the certain demonstration of the universal and undoubted love of your Loyal and Faithful Subjects, not only for the present to breed in your Majesty a more confident assurance of our uttermost Aids, in proceeding with a Princely Resolution to repress them and to furnish your Majesty against Hostile Attempts both by Sea and Land, but also for the future times, to give their Patrons and Partakers to understand that your Majesty can never want in this Kingdom means of defence of your Rights, Revenge of your Wrongs, and support of your Estate.*

They had immediately before said, *We do further think fit to add and express these reasons special and extraordinary, which have moved us hereunto, lest the same our doing may be brought into precedent to the prejudice of the State of our Country, and our Posterity.*

As hidebound as King James found Parliaments afterward (for as I said) he in his Speech in Parliament *Anno* 1620 mentioned, *That in all his Reign he had but 4 Subsidies and six Fifteenths*, yet their Belief of that Popish Gun-powder Plot fired the Zeal of their Supplyes, and (as I may say too) made their Money burn in their Pockets, and pass with speed into the Exchequer, and with a *Salvo* to the Caution about not drawing that *Act* into a President, &c. Had I been in the Parliament that fate after the Discovery of the last Popish Plot, I should have moved that the belief of that Plot might have shewn it self by works of supply to the King, especially considering that the Protestant Interest was then abroad, *inter sacrum & saxum*, and do hope that the belief thereof will so shew it self in any Parliament his Majesty shall call, that we shall that way Expostulate with the *quare fremuerunt Gentes*, abroad against the Protestant Religion. And such a golden Age do I expect for the Crown from future Parliaments, that I believe that nothing of Prerogative that safeguards the Kingdom, will be ask'd as the price of any Supplyes, and that as I thought it very absurd in a Country Fellow, when he called for a quantity of an Opiate Medicine his Doctor had prescribed, to ask angrily, *shall I have no more for my Money?* when as if he had had more it would have poysoned him, it will generally appear as absurd on any Supplies to swallow up so much of the executive part of the Regal Power, as would prove in effect destructive to the Body Politick.

We shall have so much occasion to come for shelter under the Branches of Regal Power, that we shall not be tempted by any leisure to lay its roots bare. And considering that even in Republicks both Ancient and Modern, there hath been a *Parentthesis* of Dictatorian or Monarchic Power in times of War, and that all the times that all the living now in Christendom are to be fencing with all the way in their March to the Grave, may perhaps be times of War, I may well account that the *Sir Politics* will every where appear ridiculous, who shall trouble the World with Models of Republicks, *Agrarian Laws*, and *Rotations*, and spending time in the contrivance of *Ballotting Boxes*, and raise a dust in mens eyes with the *Ballance* of Land at home, when we shall
be

be forced still to look out sharp to keep the ballance of Power exact in the whole World abroad, and shall think time better imployed in notions of the building great Capital Ships to defend our Interest, in and by the Ocean, then in furnishing such little wooden ware for a Fantastick *Oceana*, and shall essay from an *Oceana* or *Utopia* to introduce an Establishment of one Assembly only to *propose*, and another only to Enact such things as the other shall *propose*, a thing that an *English* House of Commons would naturally as much loath as to be tyed from eating any meat, but what a House of Lords should chew for them; and yet is this divided or *double-bottom* Supream Power of the two Assemblies by our Airy *Dreamers* made essential for the preventing the *Divulsion* of their Government. I lately mentioned the *proponentibus legatis* to be the thred of Controversie that ran through the whole Council of *Trent*, and he who reads all Father *Pauls* History of it, will find that question to animate the whole, and to be there, *tota in toto* and as it were all in every part of it. The chieftest of the *Cardinals* were the Popes *Legates* in that Council, and they were by their Interest tied sufficiently to *propound* nothing but what should promote the Papal Power, but in *Book 6th* 'tis said, *That the Pope had advice from his Nuntio in Spain, that the most Catholick King was much displeased with the Style of Proponentibus legatis, allowed in the first Session, and that the Pope excused it as introduced without his privity, but that however he would not quit it nor have it permitted that every turbulent person there might propound what he pleased.* And there in *Book 7th* 'tis said, *That the Pope on further application from the Ambassadors of Princes that that Clause might be damned, as contrary to the liberty of Ambassadors and Bishops in propounding what they thought profitable, those for their States and these for their Churches, the Pope gave them good words about it but did nothing, and Book 10th, The Spanish Ambassador desiring the Retractation of that Clause, and that otherwise the Council could not be called free, and that its freedom was to be dated only from the time of such Retractation, and that the Emperor insisted on its abrogation, and that by reason of that Clause no German had yet come to that Council, yet nothing was effected for its revoking, and still the Proponentibus legatis stood as a Rock, and all their Addresses dash'd themselves in pieces, producing nothing but the froath of excusatory words from the Pope about it: and in fine all that could be gained was, in the end of the Council, after that Clause had had its full effect, and done all its Execution against the freedom of the Council, and particularly of the Ambassadors and Bishops there, and was like a Post-horse ridd to his Stage, and had brought all the Cloak-bags with the Holy Ghost from Rome, to turn it to grass with a Formal Declaration or Protestation contrary to Fact, that the meaning of the Synod was not by that Clause to change in any part the usual manner of handling matters in general Councils, &c. A crying *Con licencia* to the Bishops and Ambassadors after the cutting of the Throats of their Liberties. And now can any *Opiniatre* yet further think that a Representative of *English* Commoners will ever think those Republican Projectors of liberty, who do bare faced cut them off from the freedom of their share in Enacting any thing but what another House shall *propound*, and that nothing shall have the Sanction of Law, but what enters the Stage with a *proponentibus Patriciis*, or by the *Proposition* of any other House, the Style of one of *Cromwells* two Houses, and who do set up for Inventors in Politics by reviving the exploded Constitution of the *Athenians* among whom *Anacharsis* observed, *Wise men did consult and Fools determine.**

But

But the days are pass'd and gone, that gave People of subtle and uneasy Brains the leisure of digging in Politics further than the Center, which whoever doth, digs not downward but upwards, and that Center I account the ancient *lex terræ* to be, and he who hath got beyond that doth digging upwards destroy the real Foundations of Churches and States, while he is laying imaginary ones.

But since according to the saying *in hieme nil movendum*, men of Sense who love to be tampering with Physick in other seasons, will in that be averse from stirring the humours and trying Conclusions on themselves and in the churlish State of the World abroad that is in prospect, all State Empirics that would any where advise a change of Fundamental Governments, will find an unruly Patient of the World, and all our sober Political *Virtuosi* will be necessarily inclined to study how to maintain and support our old Government, instead of projecting any new one. And in order to the support of our old one, I dare say that there will be no more suspension of Royal Aids on the account of the *Arminian* Controversie, or the freedom of our Wills, while we are busied in preparing to defend the freedom of our Estates and Bodies from Forraigners, and securing both Prince and Peoples not being predestinated to ruine by them.

The Extinguishing the maintenance of the Clergy will not pass for a *new Evangelical Light*, but the exactest provision for the Enabling Crown'd Heads to support their Civil Government and their Clergy, and with the observance of equality and proportion in the same respecting the State of their Kingdoms, will be worthy the thoughts of the most *illuminated* Doctors: for as among the Divines it is on all hands agreed, that from the 40th Chap. of the Prophecy of *Ezekiel* to the end of that Book, the thing chiefly designed in the Portraiture of the great *Vision* of the Prophet is to represent the figure of Church and State under the Gospel, so there is great proportion kept in the same, and not only the curious *colouring* but the exactness of *draught* and *design* required in a great *Historical* Painting; and no wonder if the same appeared so express'd on the Table of the *Prophets* imagination, when God himself was pleas'd there to paint it partly after the exactness and proportion of the *Jewish* Oeconomy, and with many Additions of Curiosity, and to which tho a literal interpretation is not applicable, and on which tho no expectance of the Erection of another material Temple at *Jerusalem* or in *Judea* is to be founded, or of 12000 *Reeds* of Land for the Temple and Priests, yet may it thence be naturally inferred that the preserving of orderly proportion in the Revenue of the Prince and Priest, and with respect to number Weight and Measure in the Future times of the Gospel, was then the care and design of Providence. The 45th Chapter that doth so nicely assign the Portion, for the Prince and Priest, ordains or rather predicts a Royal Patrimony for the Prince in the way of a balance of Land, as 'tis said in the 8th Verse, *In the Land shall be his Possession in Israel, and my Princes shall no more oppress my People, and the rest of the Land shall they give to the House of Israel according to their Tribes.*

The consideration of this may probably reforme the men of curious imagination who are still making the Metal of Government more fine than the Standard, and thinking to leave out there the necessary Mixture of the baser alloy that the frail State of humanity requires to make it currant, and without which it would be too brittle for use, and projecting how to make the Government of Church and State with ease to live upon nothing, or on Taxes in a confused and blundering manner laid, when the thought of an inspired Prophet in this *Vision* relating to the time of the Gospel the which is called by the Author of the Epistle to the *Hebrews*, the time of Reformation

tion applied all the exactness of Mathematics to the supporting both the Crown, and use of the Keys by an ample and certain Revenue. And as the great Tax of *Augustus* on the Roman World or *impositum* by way of *Capitation* or *Pole* near the time of our Saviors Birth, served to confirm the Christian Religion in the accomplishment of the Prediction of *Christs* being born in *Bethlem*, and to cause *Joseph* and *Mary's* going thither, a resembling effect in the Confirmation of the most rational kind of the Christian Religion, I mean the Protestant, do I expect from our Future Legal and Equal Taxes; and as I mentioned my Lord *Bacon's* saying of the Parliaments being yet in debt to the Church since *Harry* the 8ths time, so it may perhaps as justly be said that they are in debt to the Crown for the safety of the Protestant Religion since Queen *Elizabeth's*, who as I have been informed from some well Vers'd in our Exchequer Records) alienated more of the Patrimony of the Crown then any *English* Prince ever did, and that in order to her raising those great Sums before mentioned, which were necessary for the securing the Protestant Religion, and rivetting it in fast to our Laws and Government, and I am the more apt to credit such my Information because I see not by what other way she could raise those vast Sums, but by such alienation of the Crown Lands, her ordinary expences, probably coming near such her receipts, which one may partly guess by what Sir *Robert Cotton* in his abstract of the Records of the Tower touching the Kings Revenue affirms, (*Ex Computo Dom. Burleigh Thesaurar.*) that Anno 12, her Revenue besides the Wards, and Dutchy of Lancaster was 188197 l. 4 s. and the Payments and Assignments were 110612 l. 13 s. of which the Household was 30000 l. Privy Purse 2000 l. Admiralty 30000 l. and Sir *Robert Cotton* in that Book mentions that she did pawn her Jewels in the Tower, and often mortgage her Land: which no doubt she was constrained to do for the great end aforesaid, her ordinary Revenue and extraordinary Supplies of Subsidies not being adequate to the great Sums that her Measures of State and Religion caus'd her to expend. And to how low an Ebb the Crown Lands were fall'n in the late Kings time, from what they were in the 12th year of her Reign (and when they were perhaps about 200,000 l. per Annum) appears in a Book of Mr. *Christopher Veron* an Exchequer man dedicated to Sir *John Culpeper* under Treasurer of his Majesties Exchequer, where 'tis said that the Revenues of the Kings Lands now in charge before his Majesties Auditors, amounted in the whole to 100,000 l. per Annum, and consisted then for the most part of Fee-Farms and certain Rents.

I have before mentioned that she laid the Foundation of the Protestant Religion, being here *semper eadem*: & as in the Metropolis of *Holland* the Foundation of a House ordinarily costs as much as the superstructure, thus expenceful to the Crown did the Foundation of Protestantism by her prove: and she needed not the Precaution in these words of *St. Luke*, For which of you intending to build a Tower, sits not down first and counts the cost whether he hath sufficient to finish it, lest happily after he hath laid the Foundation, and is not able to finish it, all that behold it begin to mock him, saying, This man began to build and was not able to finish. She laid the Foundation of our *English* Gospel so deep in the Law of the Land, that (God be thanked) the Romanists have not been able to mock it further then by calling it a *Parliament-Religion*, and by my consent let them that way still mock on, and I shall mock at them who think that any Religion but protestancy here will ever have a *Parliamentary* Sanction: and if Popery had not been a *Parliamentary* Religion here in the *Marian* dayes, her Reign had not (as I may say) been infamous by the occasion of any Noble Army of Martyrs, nor the Eclipse, of Justice and Mercy, and the *English* good nature in her vile *Quinquennium* been made an *Epoche* of

Horror in the *English* Story, as great *Eclipses* of old in *Chronology*, like notches in the Line of Time for Mens Memories to fasten on, served as dates of *Epoches* to measure it by; and setting aside some just ground of fear of Poperies being here permitted by Heaven to be an *Epidemical* opinion of Religion, as a just Punishment of *such* defection from Morality, I think the fear of the Kingdoms being Shipwrack't on it, and sustaining thereby such persecution as was in *Bohemia*, would be as much to be mocked as *Shakespears* Shipwrack in *Bohemia*, and the fear of the Writ *De hæretico comburendo* grillading any more Christians be as ridiculous as *Lithgows* mentioning in his *Travels*, that in a hot Country he saw Geese roasted in and by the Sun.

But *My Lord* (raillery apart) the Protestant Religion that before Queen *Elizabeth's* Reign was only like a *Picture* hanging on the Wall, and easie to be removed without Fatal Prejudice to the Kingdom, hath since been so incorporated into our Laws, and the heart of our Politicks, that like the old *Fresco* Painting appearing on Walls and there wrought deeply in, it cannot be removed but with the Wall it self: and whatever Popish *Bishops* or *Judges* any Prince of that persuasion may possibly hereafter appoint, they must till some of our *Acts* of Parliament can be Repeal'd, which declare *Popery* to be against God's Law, give Judgment, that it is so; accordingly as 'tis rationally resolved in *Vaughan's* Reports in the Case of *Thomas Hill* vers. *Thomas Good*, where 'tis occasionally said, *That if a Marriage be declared by Act of Parliament to be against God's Law, we must admit it to be so, for by a Law, that is, by an Act of Parliament it is so declared.*

There is nothing I am more ashamed of in many Protestants who pass for first-rate ones, and carry not only swoln Sails of Profession of it but *Flaggs* as Demagogues, then to see them as I said value themselves on their excessive Fears of Papists and Popery. I would wish that such intimidated Protestants (if really they suffer that *Passion*, and are afraid of the Fire of those *Faggots*, that they are more distant in nature from, then from the heat of Mount *Ætna*, and talk after the Rate of the *Martyr* in his Letter to *Cranmer*, that they must prepare to hold out to the Fire *Inclusive*) would not by their pittiful ill boding fears stain the Noble *Prophecies* of some *English* Martyrs, when the Fire was kindled about them at the Stake. The *Acts* and *Monuments* will tell them how at the Martyrdom of *Ridley* and *Latimer*, *That when a Faggot was kindled with fire and laid down at Ridleys Feet, Latimer spake to him in these words, Be of good comfort Mr. Ridley, and play the man; We shall this day light such a Candle in England, as I trust shall never be put out.* But what is somewhat more extraordinary and which I remember not to have heard any one observe out of the *Acts* and *Monuments*, is in the Relation of the Tryal of *Roger Holland* a Merchant-Taylor of *London*, how Bishop *Bonner* heard him say after the Sentence of Condemnation was read, *God hath heard the Prayer of his Servants which hath been powred forth with Tears for his afflicted Saints, whom you daily persecute. But this I dare be bold in God to speak, which by his Spirit I am moved to say, that God will shorten your hand of Cruelty, &c. For after this day in this place shall there not be any by you put to the Tryal of Fire and Faggot: and Mr. Fox saith, That after that day there never was one that suffered in Smithfield for the Testimony of the Gospel.*

And the Prophetic Impetus of *George Sophocard* a Scotch Minister was very remarkable (as *Buchanan* in his 15th Book of his History relates it) and when the Cardinal in Scotland and his Train of Priests were Spectators of the Tragedy of the *Martyr*, he fixed his eye on the Cardinal and said, *That the Cardinal who there gazeth on me with so much Pomp and Pride, within a few days shall fall there with more Ignominy then he now sits with State, and*

so it fell out that the Cardinals Carcase was shortly dragged with infamy by that very place.

It is somewhat natural for dying men, and perhaps for all unfortunate men to offer at *Prophecy*. They who have good Cards dealt them in one Game, trouble not themselves to *Prophecy* that they shall have either good or bad ones in the next; and few who have sound minds in sound bodies and with sound Estates, can tune their thoughts to *Divination*. But as I would not rashly embrace, so neither would I trample on the Predictions of Pious men in their last Agonies, and particularly of what they who are Gods Witnesses or *Martyrs* Predict about the Cause of Religion: for it is the Lot of Witnesses in any Cause, to be frequently entrusted with the Secrets of it. But however the most raised Intenseness of Humane Nature near its period in any men may tempt them to believe that the things they wish to the World will have their certain Birth in it, yet whether God doth then inspire them with the knowledg of Futurity I know not: but know that the very Prediction of Future things from dying men of valued Fame, is according to natural Causes, an Engin in the hand of Fate to bring the things predicted to an accomplishment. For it being found that Sagacious men on the Confines of Eternity have foretold any alterations in the World, such as wish the same will think them first possible, and then by degrees likely, and then by the next thought certain to come to pass, and that therefore they are safe by Heavens Office of Ensurance that their Embarquing in Designs to bring those things into practice will be prosperous. However when we see those Martyrs both living in Story, and their Predictions in Nature, and when our *Martyrology* hath represented to us with what an Heroick Bravery their Souls flew up to Heaven from the Flames, like the *Eagles* cut loose and Towing aloft from the Funeral Piles of the *Roman* Emperors as they were going to be made *Divi*, can we be dispirited by dull fears and suppositions of Protestancy, and our Laws loosing their Vigour, and be *Proditors* of the honour of our dying *Martyrs*? I do rather both hope and believe that as dead mens Sculls do serve to strengthen the heads and feet of the *Epileptick* living, that the ashes of those *Marian* Martyrs will confirm the faltring paces of our weaker Protestants from staggering into an excess of the fears of Popery.

And as in the Hospitals of the mad it is often seen that an Hypochondriac Person whom irrational fears and fancied dangers brought thither, is by a real danger, imminent on his Family or Estate, frightening him into his Senses led out from thence; such a Restoration of People to their Wits, do I expect from the present and probable Future State of Christendom, and that it will necessarily rescue us from unnecessary fears as likewise from all Curiosities, that would imply our ingratitude to Heaven while we would illegally mend our own Country after the example of other parts of the World that is almost the only quiet part in it: and *Propounders* will I believe every day grow more out of request who would make Earthquakes by telling us of the danger of falling Skies. It may perhaps be rationally estimated that the greatest part of mad men becomes such by extravagant *Suppositions*, and that the *Quid si Cælum ruat* is the Foundation of most *Bedlams*, and likewise the subversion of most States by Intestine War, making them appear as much the *Ludibrium* of Fortune, as was the Story'd Fate of the two *Brothers* killing one another on occasion, tho not of falling Skies, yet of their imaginations travelling thither, and ones *Supposition* of his having Pasture Ground as spacious as the Firmament, and the others of his having as many Sheep as there were Stars there, and his demanding their being pastured there, and fatally resenting its being denyed him.

What

What a grave piece of madness is it in the common *Writers of Politics* to make it a kind of Proverbial saying, as I find it used by *Reinkingh* in his *Tractatus de Regimine seculari & ecclesiastico* as well as by other dull Learned *Writers of Politics*, namely, that a Prince may be resisted *Si navem Reip. in qua ipse cum subditis navigat, perforare velit.* 'Tis a degree of madness to suppose it; and the like I thought of a *Supposition* in a Pamphlet printed not long after our 41 *Commotion*, and called *Observations on some of his Majesties late Answers and Expresses*, where in p. 4. 'tis gravely said, *That if a Generalissimo should turn his Cannons upon his own Soldiers, they might disobey him, &c.* or thus supposing with *Gerson*, *That if the Pope goes to strike and box any one,* or with *Alacius de Privileg. l. 1. c. 8.* that if the *Emperor* doth so, that it is lawful in such Case to lay violent hands on either of them, and thence gravely to conclude that the *Party so uncivilly and outragiously treated becomes thereby the Deputy and Lieutenant to nature, which is a common and equal Sovereign to them all,* as one Persons words of inference in this Case are from those *Authors.*

Bodin doth therefore very wisely in his *De Rep.* check the affected wisdom in a *Venetian* Edict against two *Banditi* who were *Father and Son*, and offering the *Son* his Liberty and Estate if he would bring in his *Fathers* head: and being angry with the *supposition* of such a things being done saith, *That 'twere better that the whole City of Venice had been swallowed up by the Sea than that it should have rewarded so detestable a Villany.*

But it is a madness for any to trouble the World by putting wanton impossible Cases, and extending the Gold of Reason to such a thinness that will make it lose its weight and value.

To an over subtle Case put, that blundering Answer of a Lawyer was good enough, *Non est ejusmodi casus dabilis.* Mr. *Hobs* in his *Behemoth* doth to the Question, *What if my Prince should command me with my own hands to execute my Father, in case he should be condemned by the Law,* answer well enough, *this is a Case that need not be put. We never have read or heard of any King or Tyrant, so inhumane as to command it.*

But I will suppose better things of the Future State of *England*, then to believe it will ever suffer such real madness and real dangers, as formerly from *Suppositions* and *Fictions*, not of *Law* but of *Injury*, and when some injurious *Demagogues* did often acquire both Popular Air and bread by their but seeming to suppose what they seduced the people really to do, and to be really thereby impoverished.

When I think how some men by false Alarmes of suppositions, would for the lengthening their Interests, lengthen the fears of any persons, and among Mortal men make the dangers of Plots immortal, I call to mind that 'tis not very long ago that a Forraigner who was Physician to King *Charles the First*, I mean Sir *Theodore Mayerne* occasioned an Universal Out-cry of the Disease of the *Spleen* here, and was observed in many Cases where the Disease proceeded from the fowlness of the Stomach or other Causes, yet to attribute it to that part of the Body which tho all *Animals* have yet most if not all may live without, I mean the *Spleen*, but however he got his Living thereby and so plentifully, that it may be said, that he (as it were) made the *Spleen*, and the *Spleen* made him. And thus doth a *Spleen* of some Popish Sham-Plots, and the continuance of the fears and danger from a true one, make some persons perhaps who made the former and the continuance of the fear of the latter: and such State Emphyricks would be as much impoverished by the utter abolishing of the same, as some of our great Merchants who Trade in Companies and with Convoys, would be if there were no *Argeer*; but as the swelling of the *Spleen* proves the emaciating of the other parts.

parts of the Body, so hath the swoln *Spleen* of the Popish-Plot, particularly not more enriched some Merchants that Traded therein, than it hath impoverished the Kingdom in general, and I do believe that a Tax of a Million of Money raised in *England* in the way before mentioned, would not have been universally so heavy a burthen as the Popish-Plot in its Effects and Consequences hath been.

But what by the bravery of the *English Genius* to which (as was said) the continuance of any sort of fear is unnatural, and despair which generally grows from Sloth and Cowardize appearing so dull a thing (humane Nature being apt easier to descend into it, than to ascend by presumption) and what by Peoples being Convinced of the smallness of the Papists numbers here comparatively, and of the ridiculousness of the rumour'd greatness thereof in particular places, as for example, of there being 60,000 *Papists* in *St. Martins* Parish, where there dying ordinarily about 2000 in a *Year*, there cannot be judged to live 60000 Souls of Men, Women, and Children, according to the *Rule* of 1 in 30 dying each year, and what by the late great *divulsion* of the *double bottom* of the *Pope* and the *Jesuites* appearing by his Decree of *March* the 2^d before mentioned, (which makes all thinking People as much to expect its Shipwrack as do the throngs of the *Plebs* resorting to the shore in Tempests expect the Ruine of Navigating Vessels, and to look on *Papisme* as saying in effect to *Jesutisme, nec tecum, nec sine te*) and what by the Notion so much in *Vogue* and so likely to be more, that 'tis as improper to call some of the Tenets of Popery by the Name of Religion, as 'twould be professedly to mis-call any thing obvious, as for example, to call Musick the Art of Rhetoric, or Grammar Logic, or to call Astronomy or Dyalling, by Surveying or Gawging, and that 'tis only that that is *Religion* indeed, that is to be *honoured* (according to that expression in the Scripture, *honour Widows that are Widows indeed*) and what by the urging Fate of Christendom now so loudly as with the voice of Thunder repeating it to us, that *this Nation must either now be quiet, or that the World abroad can never be so*, and that the hand of this Realm must be steady, if ever it will keep the Ballance of Christendom so, and what by the Nations having outlived all the Malignant Symptomes of the Plague of its Fears, I think on the whole matter, we may without any thing of the *Fire of Prophecy*, and only from the *Light of Reason* presage that the excessive fear of Popery as well as its danger will here be exterminated.

I doubt not but the former as well as later experiences of the Papists here concerning the Inconveniences of their Artifice of making or increasing Divisions in the Kingdom (the dividing of which by them as well as other Religion-Traders hath prejudiced it more than the so much talk'd of *Division* of the *Fleet*) will in the present Conjuncture of Affairs incline the sober Party of them to joyn with the Body of the People of *England*, in being sharp Abhorrrers of the Principles of the *Jesuites*: for they can hardly go any where now in the Land without seeing a *Cain's Mark* set on those who *cause divisions*, or still drive the old Trade that the *Bohemian Nobleman Andreas ab Haberingfeld* in his Detection of the Popish Practices mentions, that *Sir Toby Mathews, Maxwell* and *Reade* those Jesuited Political Interlopers did in the Reign of the Royal Martyr, namely, to mis-represent the Court and the Puritans to one another, and to endeavour to perswade male-contented People, that that Pious Prince designed their Slavery, a thing so false that he was *Reverend* their *Martyr*, as he with great Justice said of himself on the Scaffold, and which great name he might challenge even on the account of Natural Justice, if there had been nothing relating to reveal'd

Religion in the case to entitle him to it: for *St. John the Baptist* was a Martyr, and yet died for no Article of the Christian Faith.

It may be justly said that our Monarch fell a *Martyr* for the People, by not violating the *lex terræ*, that he was by his Oath bound to maintain, and by his therefore not owning the Jurisdiction of the Vile Court over him; and moreover the Law of Nature obliging him indispensably to do nothing that by his exemplary abdicating any Right Inherent in the Crown would have incapacitated him and his Successors from protecting their Liege-People in their Inheritance of the Laws, and it being a thing certain that the Law of Nature is as much the Law of God, as is the Law positive or his written Word (and indeed as *Gataker* saith well in his Book of *Lots*, *The Law of Nature written in Mans heart, is the very same so far forth as 'tis yet unfaced with the Law of God, revealed in the Word*) it may be with reason averr'd, that any Member of Mankind whether Prince or Subject who is put to death by any Court of Justice, or Armed Force, or by the hands of *Ruffians* or *Bravos*, on the account of his discharging his Obligations to the Law of Nature, may enter his just Claim to the Name of Martyrdom. I have therefore supposing that *Godfrey* lost his life by vile hands for discharging with Courage the Duty to his Prince, that the Law of Nature and of the Land required from him, have given the Name of Martyrdom to his Fate, and I should ascribe the same Name to any one that should suffer the same Fate by the hands of any *Ruffians* that called themselves Protestants, for his asserting the Religion by Law Established, and discountenancing the Doctrine of *Resistance*, and the Principles that subvert the Right of the Inheritable *English* Monarchy, and doing what he was by the Law of Nature and the Land obliged to, for the asserting the one and discountenancing the other. Thus therefore do I judge that Name due to the Dire Fate that the late *Arch-bishop* of *St. Andrews* sustained from the hands of those execrable Presbyterian *Bravos*, who defiled their Land and the light of the Sun there with the open Murder of that Prelate.

And supposing that the great *Harry* the 4th of *France*, who was so abandoned by Heaven to little Fears on Earth, as when the *Duke* of *Sully* was perswading him not to recall the *Jesuites*, to answer him thus, *Give me then security for my Life*, did yet receive the doom of the *Fearful* in this World for his continuing his Protection to his Protestant Subjects according to the Laws of Nature, and of his Realm; I shall not deny the right that the Nature of his Fate hath to be Crown'd with the Name of Martyrdom. 'Tis very possible that some wretched Protestants so call'd, may to the scandal of the Name of Religion design Out-rages and Sedition, and the late Publications of many Seditious *Pamphlets* by them, and the Re-printing of some of the most Rebellious ones that faced the Light in the times of the Usurpation, (and for example of the *Political Catechism*, and of the *Rights of the Kingdom*, in which latter the Murder of the King is justified, and the Right of the *English* Monarchy struck through the 5th Ribb, by the Authors making it Elective) hath given the Government a just Alarm of the designs of the Publishers of such *Pamphlets* and of their Abettors, and they serve among Men of Caution as a suspicious sign of some mischief intended by them, as the extraordinary Commotion of the Waters is to *Whale-fishers*, an indication of a *Whale* approaching, and from such as well as from some of the Emissary Slaves of the *Jesuites* here, what can any who act with the highest zeal in their several Capacities to assert the Rights of the Crown and Church expect but according to the Stile of *Cicero* against *Cataline*, *Nisi ut notent & designent oculis ad cædem unumquemque nostrum*. But as to any who for the just discharge of their Natural Obligation and Duty,

as Magistrates or private persons shall suffer the worst of Fates, I shall not deny the name of *Martyrs*, so neither shall I think him worthy the name of an *English* man, or a Regarder of the Divine Natural Law, who doth not if a Magistrate by the due Execution of the Laws, or if a private person and of Signal parts and Learning by his discourse and writing notifie the absurdities and inconveniences of any Seditious Principles chargeable, on any perswasion of Religion whatsoever, every Subject being under Moral Obligations duly to represent to the *Pater Patriæ*, and to his Brethren Subjects the dangers imminent over them by any destructive Principles or Practices, whatever disguise of Religion the same may assume; and it is most worthy of the most generous dispositions that can be in men who own the love of their Country, with Monuments of Praise to honour the Memories of those *Heroic* Persons who were so unnaturally dealt with for asserting the Rights of the God of Nature, and thus fell its Noble Victimes, and who in the Race of their Lives were Agonists for it, and to resemble the Justice of the *Lacedemonians* among whom those that died for their Country were proverbially said, καλῶς ἀγωνίζεσθαι and were Crown'd with *Olive* and other Branches, and with Praises Extoll'd to the Skies: and to this Custom probably the words of the *Doctor* of the *Gentiles* have a reference, where he saith to *Timothy*, ἀγωνίζεσθαι τὸν καλὸν ἀγῶνα τῆς πίστεως, fight the good Fight of Faith; and *St. Paul* suitably was but just to himself, when writing to *Timothy*, I am ready to be offered up, &c. he added, I have fought a good fight, &c. And thus too may our Royal *Martyr* be said, καλῶς ἀγωνίζεσθαι, and considering how great an *Agonist* and *Confessor* *Queen Elizabeth* was, and how often she was designed for Martyrdom by some of her *Romish Antagonists*, the *Londoners* were but just to her, when adorning their Churches with the figure of her Monument they placed over her *Effigies*, the Inscription of, I have fought a good Fight, &c.

And as the old Agonistical Games were among the *Græcians* and *Romans*, instituted in honour of their Gods, and as critical seasons for their shewing their love to their Country by their then making Leagues and agreeing on the great Concerns of Peace and War, and Men, then in various Contentions of the Body and Mind shewed their utmost Abilities, so doth the Divine Natural and Positive Law oblige all Christians in any Conjunction or Season of Colluctation between true and false Religionary Principles, to shew their Athletic Habits of mind in the most consummate manner, and earnestly to contend for the Faith: and indeed the Christian Religion in the Rule of its Practice, having throughout the New Testament made *Agonisme* Essential to its Morals (which one word of *Agonisme* is Comprehensive of more vigour than all the Heathen Precepts of Morality include, or perhaps all the written Practices of Piety and Devotional Books) let him by my consent be divested of the Name of Christian, who on any just occasion shews not himself as an *Athleta* for his Religion and Country in all lawful ways by entering the Lists with all Principles of Hostility to either, whatever the Event may be; but still with a fair respect to the persons of all Contenders; for even that the *Agonistic* Games required, and particularly, *Ne quis in Colluctatione vel pugilatu antagonistam studio deditaq; operâ conficeret: alioqui ne victor Coronaretur*: nay so averse were the Athletick Laws to cruelty, that they obliged all Contenders to endeavour, *Quo mollior leviorq; ictus minus læderet*, and especially to abhor the Brutish Art of biting one another, the abhorrence of which I do expect will grow more and more in fashion between Religionary Antagonists, notwithstanding the many exorbitant incivilities I find practiced by some such Contenders towards the persons of each other in the present Conjunction,

flure, wherein I have observed that too many of the Protestant as well as Popish *Antagonists* have by *cruel mockings* and *biting* words and *Shams*, made it their chief business but in one thing to resemble one of the old Agonistic Games, namely, that of the *Wrestlers* who after their having been first annointed with Oyl to strengthen themselves, did then that they might the better lay hold on one another, and might not slip out of each others hands, *Se mutuo pulvere sive arenâ aspergere, ac propemodum fœdare*, a thing too many among us have done outright, and thereby shewed themselves not to be so much as *almost Christians*, and a *ridiculing* humour of throwing dirt that the *Colluctations* about the Land on the *Continent* of Christendom, will I believe *ridicule* out of our World at least, and unteach us the turpitude of such *Railery*, and make the Doctrines of speculative points of Religion to give us no more disturbance than doth or ever did the Doctrine of *Lines* and *Figures*.

And as the more ingenuous and true sober part of the people, is now moved with pity to *Nonconformists*, for being led away by the Nose from our Churches by the *Jesuites* (a thing that Mr. Nye himself affirms in his Book called, *A Case of great and present use, whether we may lawfully hear the now Conforming Ministers*, and printed Anno 1677, and the not thinking which lawful he makes a misperswasion, and saith in p. 24, and 25, *In most of the misperswasions of these latter times by which mens minds have been corrupted, I find in whatsoever otherwise they differ one from another, yet in this they agree that it is unlawful to hear in publick, which I am perswaded is one constant design of Satan in the variety of ways of Religion, he hath set on foot by Jesuites among us*) and doth the more pity them for that some well meaning persons among them who were blindfolded into some of their Nonconformity by *Jesuitic* Emissaries, had not heretofore their Eyes opened to see that the same persons were often Solicitors with Magistrates, to do their duty and put the Laws in due Execution against them for their Nonconformity, and that such Emissaries had thereby an occasion of saying to them according to the Style of the *Chief Priests*, after they had blind-folded our Saviour, and then smote him, *Prophecy who is he that smote thee?* and for that such well meaning persons have been observed at the same time to importune the Almighty, *That he would open the Eyes of Kings and Princes*, so hath it likewise general resentments of Scorn and Anger against the Principles of those *bantring* Popish Seducers, who as they have some Emissaries here to kill Souls and others probably ready on occasion, to kill bodies, have distended the Doctrine of Popery abroad in the World to such an excess of Cruelty that no man can Calculate the number of Gods it hath made, or of men it hath destroyed ; and I hopethat such *Jesuited* Emissaries will in time generally appear not only hateful but ridiculous to our Papists themselves : for who indeed can choose but laugh at the discussing or deliberating of the *Question* in p. 98. *Of the Mystery of Jesuitisme, viz. Whether the Jesuites may kill the Jansenists?* So very hateful are their Principles to some of our ingenuous *English* Papists, that I have heard a Great and Noble Person mention it with Contentment, that some of that Order of *False Prophets* were since the Popish Plot executed for it, tho yet he doubted of the Veracity of the Witnesses against them. I very much differ'd in my Judgment from that of that Noble Person, and would have no man damned in the least for the greatest Crime, but by Witnesses greater than all exception, and do account it easier to give Heaven an account of Mercy than Justice : but yet on the recollecting of my thoughts I have found it so incident to humane nature to delight by ill Witnesses to punish the avowers of false Religionary Principles, that I have read it among
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some *Rabbinical* Observators of the Customs of the *Jews*, that they anciently allowed of false Witnesses against false Prophets, and of whose being such the *Sanhedrim* did cognosce, and so they impiously reputed *Christ* to be such, did barefaced bring forth false Witnesses against him, and he could not be allow'd to except against their Persons but only against their sayings as discordant : and to this purpose we find it in the Gospel of *St. Mathew*, *Ch. 26. Vers. 59, 60.* Now the Chief Priests and Elders and all the Council sought false Witnesses against *Jesus* to put him to death, but found none : yea tho many false Witnesses came, yet found they none. At the last came two false Witnesses, and in *St. Mark*, *Ch. 14. V. 56. and 59.* 'tis declared how the Testimony of the False Witnesses agreed not together. I have mentioned this as not in the least intending to reflect on the testimony of any one Witness ever produced in behalf of the Crown in any Criminal Cause in any age of time, and do think that according to the saying that *defensio non est deneganda Diabolo*, and that as a railing Accusation is not to be brought against the Devil, so much less ought a false Testimony. And I am moreover in any Point relating to the safety of Princes Lives, and when there are exasperated Parties in a Kingdom, criminating and recriminating each other about the same, inclined to do what is fairly to be done to support the Credit of Witnesses, considering (as the Observation is) that as he who is bound to the King, his Bond is good for nothing to any one else, so he that during such a Conjunction is a Witness for the King is liable to so many Volleys of Dirt from some one of the enraged Parties, and to have all the particular excesses and extravagances of his Life so display'd, as to endanger his Testimonies usefulness in other cases. But yet if any Magistrate finds the Testimony of Witnesses he would support to be insupportable, and doth not believe them to be *fide digni*, he is obliged Morally to avow such his Sentiment thereof, when he is legally put upon it.

And here I cannot pretermitt an occasion of mentioning your Lordships great Courage and Justice in an Affair that my Correspondent writ to me of, namely, that when some Witnesses had in the House of Lords been Examined about a Popish Plot in *Ireland*, and that the Vote of every one in that House was given for the reallity of that Plot except your Lordships, you entered your dissent as not believing any such Plot in *Ireland* as was by the Witnesses sworn, which was certainly most worthy of your Lordship to do, if you thought not the Witnesses worthy of your belief, and your Caution in your so judging, that the Papists in *Ireland* designed not such a Plot to be Executed in that Kingdom, was the more remarkable in regard that 'twas some time since published in a large Pamphlet of *the Growth of Popery*, that the *Irish* Plot was a thing contrived only to divert and hound us away from the pursuit and Examination of the *English* one. And yet the same Witnesses (as I was inform'd) obtain'd that belief from a Loyal and Honourable House of Commons concerning the *Irish* Plot, that caused the Vote of its reallity to pass with a *Nemine Contradicente* there.

What Fautors of false Testimony the Jesuites principles are, I have shewn, and at the same time afforded my Testimony to the Heroic Vertue of many others of the Church of *Rome*, and think it great and pedantical kind of Injustice to charge all Lay-Papists with a readiness to obey their Priests Commands by being ministerial in Cruelty to Protestants. I remember I have read it in a printed Speech of Sir Audly Mervin the Speaker of the House of Commons in *Ireland*, a Speech glowing with anger enough against the *Papists*, where yet 'tis said p. 24. *In the Barony of Enishoan there are above two thousand Irish Papists can bring hundreds of Protestants to witness their Civil demeanor through the whole course of the distemper in this Kingdom.*

And as the bloody Sect of the Zealots grew at last so odious among the Jews, and another Order of such *sicarii* among the Turks, so I suppose that of the Jesuites will naturally do among Christians, and the Jesuites writ *de hæretico Assassinando*, grow obsolete, and especially in places where the Scene of Mr. Coleman's *Northern Heresie* lies, it being an old observation that *Northern Countries* are more hospitable and less cruel, than *Southern*.

In the very time of the dawn of Learning ushering in that of the Reformation, it presently grew odious to the first-rate *Ingeniosi* to draw Heretics blood. Our Famous Countryman *Tunstal* Bishop of *Durham* (who had imbibed so much of the Mathematical Sciences, that *Vossius de Scientiis Mathematicis* saith p. 40. *Ante annos Centum & quod excurrit, magnâ cum laude præcipue ob sermonem purum, & perspicuum de arte supputandi egit Cutbertus Tunstallus*, and whose Book of *Arithmetick* writ with such pure Latinity is commonly extant) was of such a temper that (as *Fuller* tells us in his *Church History*) the *Bishopric of Durham* had halcyon days of Peace and Quiet under God and good Cutbert Tunstal the Bishop thereof.

Sir Thomas Moor of whom 'tis said, that 'twas writ on his Tomb, that he was *furibus hæreticisq; molestus*, yet in his *Utopia* rould neither of them in Blood: and in his Chapter there concerning the Religions in *Utopia*, he makes divers kinds of Religion not only in sundry parts of the Island, but also in divers places of every City, some worshipping the Sun and some the Moon, and some other of the Planets, and the wisest of them worshipping God Almighty, and some embracing the Faith of Christ at first without the help of a Priesthood, and minding to choose a Bishop among themselves, without sending out of their own Country for the Order of Priesthood, and makes them affrighting none to or from the Christian Religion. And that that Book of his may rather be thought an Original of his Mind than a mere Copy of his Countenance, we have the Suffrage of Dr. Donne in his *Bia-Devat*, where having said, That Sir Thomas Moor was a man of the most tender and delicate Conscience that the World hath seen since St. Austin, and citing of his *Utopia*. l. 2. c. *de servis*, he saith, He was not likely to write there any thing in jest mischievously interpretable.

And if a man would quote things of *Erasmus* his great Humanity to all humane kind, he must quote almost his whole Works. But how far his Genius led him from any brutal ferity toward Heretics, your Lordship will see by this passage in his *Supput. error. Bedæ*. *Dic ecclesiæ, quod si non audierit sit tibi velut ethnicus & publicanus: quasi hic ulla sit incendii mentio. Rursus Apostolum. Post unam & alteram correptionem devita. An devitare est in ignem conjicere? Iterum Auferte malum ex vobis ipsis. Num auferte valet idem quod occidere? He had said before, Quas autem mihi narrat ecclesiæ leges? An leges ecclesiæ sunt quenquam ultricibus tradere flammis. And afterward at episcoporum est quod quidem in ipsis est docere corrigere, mederi. Qualis autem est & episcopus qui nihil aliud possit, quam vincere, torquere flammis tradere? Quod si qui tractant hoc negotium tales essent, qualem se declarat in hoc libello Beda, hoc est si tantum spirarent odii sit tantum haberent impudentiæ, tam impotens calumniandi studium, tam corruptum iudicium, ut videatur citius decem propulsurus in hæresim, quam unum revocaturus. nonne belle ageretur cum delatis? Nisi fallor primum designare cui male vellet, eum curaret clam rapiendum in carcerem: ibi quærerentur articuli tales quales plurimos objicit mihi partim falsos, partim depravatos. Disputatio si qua fieret, perageretur in carcere, si quid hisceret contra mox accersitis tribus dilectis monachis, pronunciaretur sententia diffinitiva. Quod reliquum est perageret carnifex. Ubi theologus desert rapit in carcerem, urget accusatio-*

accusationem, damnatum tradit judici profano. Judex non ex sua cognitione, sed ex theologi præjudicio tradit flammis.

Our Martyrologist Mr. Fox could not have expressed more anger against a Bishop Bonner, than Erasmus a Papist hath here against Popish Persecuting Prelates. Had Erasmus then known of one practice enjoyn'd constantly by the *Canons* to Popish Bishops at their Condemning of Heretics, to *salve* the *Phænomena* of their *irregularity* by intermeddling in *Causa sanguinis* (and about which your Lordship shewed me once some remarkable quotations in a *Letter* writ to you by the Lord Bishop of *Lincoln*, and of which quotations I beg a Copy from you by the first opportunity) namely, *efficaciter & ex corde*, to intercede with the secular Judge to whom they deliver the Heretic over, *to bring no pain of death or mutilation of member to him*, I believe the great Wit of Erasmus would after his ingenious account aforesaid of the *Tragedy* of the Condemned Heretic, pleasantly entertained himself and Posterity with the wanton cruelty of that *Farce* that ensued it, and let us see how the Popish Bishop then using the Speech familiar to some Tooth-drawers just before their operation, *I will do you no harm and put you to little or no pain*, did at the same time make use of the power of the secular Magistrate, but as the Linnen Clout or Silk to wrap and hide the tormenting Pincers of Holy-Church in.

But to return to my observation of all Popish Canonists themselves, not allowing that wanton mode of the cruel usage and interceding with the Magistrate, *Efficaciter & ex corde*, to do the Condemned Heretic no harm, I think the same quotations mention how the famous *Panormitan* did brand the Hypocrisie of that Practice: and the truth is, 'tis very abominable that Heretics neither living nor dying, can be free from suffering *Shammes* by some Papists.

But again on the other hand 'tis with Justice to be said, that some Papists whose names the Age riseth up to, for their great advancement of real Learning, I mean *Peiresk*, *Descartes*, *Gassendus*, *Mersennus*, had as much tenderness for any differing in judgment from them as Protestants can have: and that mighty hunter after knowledg *Peiresk* was so far from eagerness in pursuing the blood of Heretics, that being one of the Judges for Capital Causes in *France*, he would always come off the Bench when Sentence of death was to be given, though against the most outrageous Murderer, and he always carried in his mind a charity large enough to embrace the whole World, and maintain'd a constant Correspondence with *Salmasius*, *Causabon* and other Protestants, and did put *Grotius* on the writing his *De jure belli & pacis*, that hath taught more Civility to Nations than the Modern Papal Christianity hath done, and who hath there so perfectly manumitted Secular Magistrates from being obliged implicitly to execute the Sentences of Ecclesiastic Judges, that he hath there asserted it *l. 2. c. 26. §. 4. Quin probabile est etiam Carnifici qui damnatum occisurus est hoc tenus aut quæstioni & actis inter fuerit aut ex rei confessione cognita esse debere causæ merita ut satis ei constet mortem ab eo commeritam: idque nonnullis in locis observatur, nec aliud spectat lex Hebræa cum ad lapidandum eum qui damnatus est testes vult prodire populo. Deut. 17.*

By the 7th Verse of that Chapter the hands of the Witnesses were to be first on him to put him to death, which Law no doubt had the effect of a *Caveat* with men against their *ambitus* of the standing Office of Witnesses by tacking thereunto the standing Office of Executioners.

Moreover both common Observation and Cursory looking into Books, and indeed common sense will teach us that the Papal Principles do not oblige

lige men at once to fence against Heretics lives, and against impossibilities, nor to endanger themselves by fighting with the *Wind-mills* in Heretics Brains.

That great *Cardinal D' Ofsat* whom I have so often here cited, and who was so renown'd for his probity as well as comprehensive knowledg of matters of State, doth in the 86th *Letter* that is to *Villeroy* in the *Tear* 1597. give him an account of his discourse with the *Pope* on the occasion of his Holyness angrily resenting *Harry* the 4ths observing the *Edict* of pacification, and that *D' Ofsat* thereupon said, *That it was necessary for the Peace of France that that Edict should be observ'd: that for want of such an Edict France had not been quiet for 35 years. That the Date of the Edict, 1577. shewed'twas not the present King, but the late King 12 years before his death that made it, that the late King and King Charles his Predecessor and Brother, did not make such Edicts of Pacification with their good liking and frankly, but were constrain'd to it by necessity, even for the good of the Catholic Religion, and the Realm after having found that many Wars made by Heretics served for nothing but in many places to abolish the Catholick Religion, and in a manner all Ecclesiastical Discipline, Justice and order, &c. And that besides that necessity hath no Law in whatever Subject and Matter it be, Jesus Christ hath taught us in his Gospel to tolerate the Chaff in our Fields, when there was danger of plucking up with it and spoyling the good Corn: that other Catholick Princes used so to do, whom none spoke ill of for it. That the Duke of Savoy as great a Zealot as he makes himself for the Catholic Religion doth tolerate Heretics in their Religion, in the three Valleys of Italy, of which he is Lord. That the King of Poland did as much not only in the Kingdom of Sweden but of Poland: that all the Princes of the House of Austria, and who are Celebrated for being Pillars of the Catholic Church, did as much not only in the Towns of the Empire, but also in their own proper Estates, as in Austria it self from whence they take their Name, in Hungary, Bohemia, Moravia, Silesia, Lusatia, Stiria, Carinthia, and Croatia. That Charles the 5th Father of the King of Spain was he that taught the King of France and other Princes to yield to such a necessity by making the Interim (that every one knows) even after his having Conquered the Protestants of Germany. That his Son the King of Spain at this day who is reputed to be Archi-Catholic, and to uphold the Catholic Religion as Atlas doth the Heavens, doth yet tolerate in his Kingdoms of Valencia and Granada the Moors with their Mahumetanisme, and hath caused to be offered to the Heretics of Zealand and Holland, and other Heretics in the Low-Countries, the free exercise of their pretended Religion, if they will for the future acknowledge and obey him, &c. And concludes his discourse to the Pope saying, That the Kings ablest Counsellors were of opinion that if his Holyness saw things so near as the King did, and that the Pope was to Command France in the State the Realm was at present, his Holyness would not in this point do less than the King did. To all which *D' Ofsat* saith, The Pope made no reply.*

And I think it may with parity of reason be affirmed, that if the *Pope* himself were to Command *England* in the State it is in at present, he would be no hammer of Heretics so as to knock any one of them on the head.

I know that after the date of that Letter, viz. Anno 1597. of *D' Ofsat's* last mentioned, the various Revolutions in Christendom made the Scene of the toleration of Heterodoxy in those Countries to be altered with a Vengeance; for six years after the death of *D' Ofsat*, viz. in the *Tear* 1610. King *Phillip* the 3d of *Spain* made an *Edict* for the exterminating the *Moors* with

with their Mahumetatisme out of his Realms, and which was executed with great Cruelty ; and the *Union of Utrecht* entered by the Provinces in 1579; and the blow given to the *Spanish* Monarchy by Queen *Elizabeth* in 1588; and the Patronage the United Provinces had from her and the kindness they found from *Harry* the 4th of *France*, made his Conditional offers of favour to the *Dutch* Heretics not thank-worthy, but even at this very day, tho in the Low-Countries both of the United and *Spanish* Provinces there is a certain reciprocal liberty for the Papists in the Dominions of the States, and for the Protestants in the Dominions of the *Spaniard*, yet is the liberty not equal: for in the United Provinces the States allow the Papists a certain number of Priests to officiate among them *in sacris*, which is done by an expresse Concession. But in the *Spanish* Dominions there is no such Concession, and the Ministers who there privately officiate among Protestants do it at their peril.

And in the Year 1599. *Ferdinand* of *Austria* expelled the *Lutherans* out of his Provinces: and in *Austria*, *Bohemia*, *Moravia*, and all the heritable Lands of the House of *Austria*, *Franconia*, *Bavaria*, and the upper *Palatinate*; no Protestants are permitted to have the publick Exercise of their Religion: and the Effects of the Emperor's Persecuting the Protestants of *Hungary* the World knows and feels, and hath with horror gazed on the Protestants of *Transylvania* putting themselves under the Protection of the *Turk*, that they might enjoy their Profession of Christianity. And how the *Bohemians* were treated by a Jesuited Emperor twenty years after 1579 I have spoken, when I gave an account of the Jesuites Emblem painted on the Arms of *Austria*, viz. *I have practiced*.

That the *Duke of Savoy* practiced nothing of Cruelty to his Heretical Subjects in the *Valleys* about the time 1597, those poor Protestants may under God thank their old friend *Harry* the 4th, who in the year 1600 took almost his whole Country, after his having been before in a Contest with him by way of demand for the *Marquisat of Salusses*, and his having applied to the Pope to interpose therein, the Emperor having likewise demanded that *Marquisat* in Right of the Empire; and while that Duke was in fear of being fleeced by the Pope and Emperor, and *Harry* the 4th, 'tis no wonder if he suffered his Heretical Subjects to graze or sleep in whole Skins in the Neighbouring *Valleys of Piemont*; but in the year 1655 there ran in those *Valleys* such a torrent of Protestant blood as did bear away all the dire Examples of Cruelty before it that History could shew, as appears out of *Sir Samuel Morelands History of the Churches in those Valleys*, and Book 4th, and Chap. 4. where in his *Audience Speech* as Envoy to the *Duke of Savoy* in the behalf of the Protestants in those *Valleys*, on that sad occasion, he saith, *Si reviviscant omnes omnium temporum & ætatum Neronēs (quod sine ullâ celsitudinis vestræ offensione dictum velim, quemadmodum & nullâ ejus culpâ quicquam factum esse credimus) puderet prefec̃to eos: ut qui nihil non mite ac humanum (ad hæc facinora si spectas) excogitasse se reperirent, interim exhorrescunt Angeli, Mortales obstupescunt, Ipsum cælum morientium clamoribus attonitum esse videtur, ipsaq; terra diffuso tot hominum innocuorum cruore erubescere.*

And as for the Kingdom of *Poland*, the fear of the *Turkish* Power then gave the Prince there no leisure to attend squabbles about Heresy and Heretics: and as for the interest he had in *Sweden*, which too in the year 1599, had a Popish King (as *Sandys* saith in his *Europæ Speculum* that year writ) yet were the Papists there then (as he saith) few, and consequently the Heretics too many to be persecuted.

The very *Interim* spoke of by *D' Ossat*, or *Formula inter-Religionis* as 'twas called, was a double bottom of Popery and Protestancy, and nothing was expected to be its Fate but Divulsion. *Alsted* in his *Chronology* mentions its

Date with the words of *Infelix partus*, and the *Protestants* in *Constance* rather than they would embark in that double bottom, threw themselves overboard into the Sea of the Power of *Ferdinand* King of the *Romans* and Brother of *Charles*, who soon used them not as their *Protector*, but their *Conqueror*: and 'tis notorious that the *Interim* was professedly designed to continue only till the Council of *Trents* determinations were ended, and 'tis likewise as notorious that that Council was called designedly and *revera* for the *exterminium* of Heretics; and its being called *ad restituendos collapsos ecclesiae mores*, was but *umbrage* and *shamme*. And what Quarter Heretics were to expect from the *Tridentine* Spirit, *Father Paul* hath told us in his *History*, p. 693, and that as to the year 1563. Advice came to Rome that the King of France had made a Peace with the *Hugonots*, the particular Conditions being not known of yet: And the Pope thinking it proceeded from some Prelates, who tho they did not openly declare themselves to be *Protestants*, yet did follow that Party, he resolved to discover them, and was wont to say he was wronged more by the *Masqued Heretics* than by the *bare-faced*. Whereupon the last of March he gave order that the Cardinals who governed the *Inquisition* should proceed against them. The Cardinal of *Pisa* answering that there was need of proper and special Authority, the Pope ordain'd that a new Bull should be made which was dated the 7th of April, and contained in Substance that the Pope being *Vicar of Christ*, to whom he hath recommended the feeding of his Sheep, and to reduce those that wander, and to bridle with temporal Penalties those who cannot be gain'd by Admonitions, he hath not since the beginning of his Assumption omitted to execute this Charge, notwithstanding some Bishops are not only fallen into Heretical Errors but do also favour other Heretics opposing the faith. For Provision wherein he commands the general Inquisitors of Rome to whom he hath formerly commended this business to proceed against such, tho Bishops and Cardinals inhabiting in places where the *Lutheran Sect* is Potent, with Power to cite them to Rome by Edict, or to the Confines of the Church to appear personally, or if they will not appear, to proceed to Sentence, which he will pronounce in private Consistory. Those Cardinals in Conformity to the Popes Commands cited by Edict to appear personally at Rome, to purge themselves from imputation of Heresie, and of being favourers of Heretics, ^{were} the Cardinal of *Castillon*, the Arch-Bishop of *Aix*, the Bishop of *Chartres*, and other Bishops in France.

His Holyness it seems thought that Cardinal and the Arch-Bishop and the Bishops to be *Protestants* in *Masquerade*, and has given an example to some *Furiosi* among *Protestants* thus to miscall some of the better sort of them.

In fine that which I aim at by referring to these Historical Passages is this, to shew that some of the very *Grandeess* of the Church of Rome hold Principles in Religion that allow indulgence to the persons of Heretics. I have instanced how *D' Ossat* in the Popes presence was a Confessor for moderation in this kind, and spake like a skillful *Divine* when he said, That Christ hath taught us in his Gospel to tolerate the Chaff in our Fields, when there was danger of plucking up with it, and spoyling the good Corn: and *Theophylact* on that place tells us, that by Tares are meant *Heretics*.

Nor can it be unknown to men of great thought among the Papists, that the sanguinary usage of Heretics, hath much encreased their number, nor perhaps will it be denied by the Critical Judges of things in the Papal World, what was by one of our *beaus esprits* and great States-men, I mean the Lord Viscount *Falkland* observed in Print, That the Massacre in France made more *Protestants* in one night than all *Calvins Works* have done since their first publication.

According

According to that Observation, *That nothing surfeits sooner than man's flesh*, 'tis but natural to suppose that the Papal World must be surfeited with it at last. And indeed the experience Popish Politicians have had of their success by *dividing* us formerly (as was said) would tempt them to omit other courses and to persist still in that if it were not now generally seen through.

'Tis *in viridi observantiâ* how our Famous great Usurper *Cromwel* who founded his Dominion in pretended Grace or Religion, and was afraid of Thunder from every Cloud of Enthusiasme he saw over his head, and was awed likewise by the Serene and Rational Religion of the Church of *England*, had no other Game to play in order to the dividing the several Religionary Parties but by in some manner tolerating all according to the Mode of *Julians* Politics.

The *Papists* were the first who miscalled any of our *English* Princes by the name of *Julian*, and that they did in the Case of King *James* as appears in his Learned *Apology for the Oath of Allegiance* printed Anno 1609. where being much concerned for his being so termed (and that too by no meaner a man then *Bellarmino*) he doth with great strength there largely prove that that name was congruous (as his words are) *in no point save one, that is, that Julian was an Emperor and I a King*: and indeed 'tis a very impotent humour of Calumny in any Protestant to call any one an *Apostate* or especially the *Apostate*, merely for the alteration of his Judgment in some controvertible points of Faith between *Papists* and *Protestants*, and which are denominable by the name of Religion; and 'tis a great folly to cherish immoderate fears that any *English* Prince who possibly may happen in such Controvertible Points to change his persuasions in Religion, will if a *Papist* attempt *à la Julian* to plant Divisions among his Subjects by the Instrument of Religion, for that their being kept undivided and all of a piece will be essential to the life of the Kingdom as the State of Christendom is likely to continue; nor is it probable that any such Prince can ever think in the single course of his life to make this Nation all of a piece or united under the persuasion of Popery. For if any one would suppose it possible that in the Reigns of three or four Successive Princes of that persuasion, the nature of things might be so far forced as that Millions of men might by artifice be made to abandon a Rational Religion, and one that is framed to support the Government, for one that is not so, such one Prince must be supposed to have acquired the gift of long life that ^{the} *Ante-diluvian* Patriarchs had, and to extend the Span of his life to that of three or four Princes. It is a known Rule relating to *Mathematics*, *That there is no reconciling time and force*, and he who would have one man do as much as four, must allow him to be as long a doing it as four one after another.

But the surviving *Experts* have seen too much of the effects of the shaking all Civil and Ecclesiastical Polity by a Protestant Usurper, ever to wish for another in any Case, and to have the ballance of Christendom again broken, and the Kingdom be again divided to preserve his Families interest and to keep that entire, which is notorious to have happen'd under the aforesaid Usurper both of Religion and the Kingdom: and the name of *Julian* is most properly applicable to him or any Protestant Usurper, and who will be necessitated to follow him in his Track of Politics: and the notion of which *Ammianus Marcellinus lib. 22.* set us right in, where he shews us that *Julian*, that he might weaken the Power of the Christian Religion which he feared, knew no way so easie as to endeavour to do it by it self, and therefore recall'd the Bishops banish'd by *Constantius*, and gave

gave them and the People leave to be Christians tho himself was a Heathen, *Nullas infestas hominibus bestias ut sunt sibi ferales plerique Christianorum expertus*, i. e. because he had never found Beasts so cruel to one another as he had most Christians, and therefore as he travelled through *Palæstine*, cryed out, *O Marcomanni, O Quadi, O Sarmatæ, tandem a'ios vobis inquietiores inveni.*

Thus did the Usurper promote the Animosities among Religionary Parties, and was enforced thereby to weaken the Kingdom to strengthen himself: some indulgence he shewed to Congregations where Divines of the Church of *England* worship God in the way of its Church, yet permitting none to have Benefices but such as were of the Presbyterian perswasion generally, and among such and the Independants he distributed his Donatives of preferment in the Universities, and he took care that no form of Church Discipline or particular Church might preponderate by his being a Member therein. He made some Lay-men and some Divines differing in Judgment about Presbytery and Independency to be Tryers of Ministers fitness for Livings, and Commissioned many ignorant Lay-men in the several Counties to be Judges of the sufficiency of Ministers, for their continuing in Livings. The press was open to all unlearned Wranglers about Religion. Many of his Military Preferments he placed on *Anabaptists*, and did suffer many of the *Fifth-Monarchy* Religionaries to disturb the *Apocolypse* and the World thereby, gave freedom to *Muggleton* the Impostor to set up for a Prophet, and one of the two Witnesses, and was a particular Patron to *Manasseth ben Israel*, and in treaty with him here to introduce the Jews, and tolerated *Biddels* Congregated Church of *Socinians*, further likewise so far giving an occasion to Mr. *Marvels* Writing a Book then of the Growth of Popery, that Mr. *Pryn* in his Book called, *A true and perfect Narrative of what was done, &c.* Printed in the Year 1659. saith in p. 57th, *That Sir Kenelm Digby was his particular Favourite, and lodged by him at White-hall, that Maurice Conry Provincial of the Franciscans in England, and other Priests had his Protections under Hand and Seal, and that he suspended Penal Laws and Executions against Popish Priests and Jesuites, who sometimes taken in their Pontificalibus at Mass, and were soon after released, and that he endeavoured to stop the Bill against Papists the very Morning he was to pass it, by his White-hall-Instruments, who moved its suspension for a time, as not suting with the then present Forraign Correspondencies, against whom it was carried by 88 Votes, that it should be sent up with the rest then passed, and that he writ to Mazarine to excuse his passing that Bill as being carried on by a violent Presbyterian Party much against his Will, and that yet it should not hurt them tho passed, &c.*

And I suppose an Author more profound in his Observations than Mr. *Pryn*, doth in a Loyal Pamphlet Printed in the Year 1656. Called a Letter from a true and lawful Member of Parliament, &c (and generally conceived to be writ by the late Lord *Hollis*) there in p. 58. and the following ones charge *Cromwel* home for the swarming of the *Jesuites* then in *England*, and transforming themselves into several shapes among the divided Sects here, and saith, *What liberty the Priests and Jesuites take, how far they prevail on the People, what Countenance they receive from this Government is apparent enough by not proceeding against them in Justice, as if no Laws were in force for their punishment. Your private Negotiations with the Pope and your promises that as soon as you can Establish your own greatness, you will protect the Catholics and the insinuations that you will countenance them much further, are sufficiently known and understood: and of their dependance upon and devotion to you, there needs no Evidence beyond the Book lately written by Mr. White a*
Romish

Romish Priest, and dedicated to your Favourite Sir Kenelm Digby, Entitled, the Grounds of Obedience and Government, in which he justifies all the Grounds and Maxims in your Declaration, and determines positively that you ought to be so far from performing any promise or observing any Oath that you have taken if you know that it is for the good of the People that you break it, albeit they foreseeing all that you now see, did therefore bind you by Oath not to do it, and that you offend both against your Oath and Fidelity to the People if you maintain those limitations you are sworn to, and sure what you do must be supported by such Casuists. And afterwards speaks how Cromwell in distrust of the whole English Nation was Treating to bring over a Body of Swiss to serve him as the Janisaries do the Turk.

The Declaration here referred to was Cromwells Declaration of October 31, Anno 1655, and which was supposed to have been worded by his Lord Keeper Fiennes, wherein all the measures of Justice toward the Cavaliers, and particularly the Public Faith of the Parliament, for the punctual and exact performance of Articles with them after the vast gain that had accrued to the Parliament by their *Compositions*, and an *Act of Grace and Oblivion* afterward granted to the Royal Party, are avowedly broken: and in p. 36. of that Declaration, 'tis said, *If the Supreme Magistrate were tyed up to the ordinary Rules and had not liberty to proceed upon the illustrations of reason, against those who are continually suspected, there would be wanting in such a State, the means of Common Safety, &c.* and before in p. 12, and 13. the Jesuites are out-done as to the keeping of no faith with Heretics, by the asserting in effect in general, that *nulla fides est servanda*, and the humour of Pope Paul the 4th is Repeated, who as the Author of the *History of the Council of Trent* tells us, declared it in the Consistory, *That 'twas Heresie to say the Pope can bind himself.*

And we are assured out of Mr. Peter Walsh his *History and Vindication of the Irish Remonstrance*, that Edmund Reilly the titular Popish Primate of Ireland, who at a public Dinner boasted that he never had been friend or well wisher to the King and his two Brothers and the Duke of Ormond, did yet write *Precepts* under his Seal to all the Province of Armagh to pray for the Health, Establishment, and Prosperity of Cromwell Protector and his Government.

More need not be said of the danger of Popery and Arbitrary Power to the Nation, if God and man had not hindered Lamberts Usurpation over it. I have mention'd how some of the Plot-Wineffes have deposed somewhat thereof: and some of his Countrymen have in discourse affirm'd his having been there a Fautor of Papists: and my self observing it to a worthy Gentleman of *Torkshire*, that one of the Popish Lords in the Tower did in February 1662, pass a Grant from the Crown of several Mannors in *Torkshire* forfeited by the Attainder of John Lambert, he averr'd it to me that Lamberts Son enjoys that Estate at this day. It had been just for the Almighty to have punished the extravagance of the Fears and Jealousies that Reigned in the time of the Royal Martyr about his not being a Protestant (a Character of Religion he had constantly own'd in the view of the World, both by his publick Devotions and Alliances, and particularly that with Holland which chiefly his Zeal for that Religion made him to ensure by the Marriage of his Daughter with the Prince of Orange, in the time that the War between the Crown of Spain and the States was depending) by permitting a private Gentleman whose name perhaps had not come to public knowledg but for the figure he made in illegal Arms, so far to march with his Religion undiscern'd through the Quarters of all the gathered Churches and the Classical ones too, that he deceived in that point so many

that called themselves *the very Elect*, and who were as well vers'd in the business of all Religions as *Jews* are in *Coines* and in the way of adulterating them, and who after that Religion had always been the *Staple Commodity* of *England* as much as *Wooll*, did almost nothing else but Weave and Dye and Tenter the same with all subtilty of Art possible to them: and as the *Israelites* marched out of *Egypt* without the farewell of a *Dogs* barking at them, we were then near the point of being driven back to *Egypt*, to Civil and Spiritual Slavery without the least alarm given us by any of our best and deep mouth'd *Dogs* against Popery. But the extreme danger to Protestancy from that intended Usurpation hath been long since over; nor do I expect that any fatality of that kind can ever happen to it from any Prince of the Right Line, how much a Papist soever he may be, that is to say, from one who was swathed with the Laws in his Cradle, and will be Circumscribed with them in his Crown.

According to that great severe truth I observed before of the fate of the *ten Tribes*, after they had made a defection from the Line of *David*, that they were punished with a Succession of 10 Kings, and not one good one in the whole Pack, and their falling at last as a Prey to Forraigners, it was the Lot of *England* justly to suffer what has been here described, from various Governments and Governors for its defection from the Royal Line, and the experience of our disastrous past Calamities must needs convince all men of serious thought and sense, that we can have no Usurper how true a Religion soever he may own, but will be false to the Interest of the Nation, and that particularly by dividing it, and thereby as much *depreciating* it in the view of all Christendom, as a great *Diamond* would be if cut in two: for tho *Diamonds* or *Pearles* be equal and like in their Figures, Waters, Colours, and Evenness, yet if they differ in their Weights and Magnitudes, those are the Roots of their Prices, and a *Diamond* of *Decuple* weight is of *Centuple* value.

I therefore think the Kings Loyal long *Parliament* did consult the public Security when in the great Act of the Test they enjoyn'd the taking the Oaths of *Allegiance* and *Supremacy*, and thereby the laying on the *takers* an Obligation to the Kings *Heirs* and *Successors*, that was to outlast the Life of the *King*, and without any distinction of the Religion true or pretended of such *Heirs* and *Successors*.

Of the Obligation to the Kings *Heirs* and *Successors* arising from those Oaths, Mr. *Pryn* in his *Concordia Discors*, Printed in the Year 1659. hath writ usefully: but because since the time of the late *fermentation*, many Pamphlets have been writ *pro* and *con* of the *Political* part of the *Question* relating to a Popish Successor, and none that I have heard of has professedly writ of the *Casuistical* Part thereof, and particularly with relation to those Oaths, and because I have heard that in some discourse about the same in some good Company where the Obligation by those Oaths to the Kings *Heirs* in point of Conscience hath been asserted, some good men have been blundered out of their apprehending the same, by mistaking the saying in the *Civil-Law*, that *nemo est hæres viventis*, and likewise some things obvious in the *Common-Law*, and I did fear that it might thence grow a common and vulgar error that there is no such Obligation resulting from those Oaths, and that as a *Supine* neglect of the use of means to find the true sense of the same, would be very culpable, so that a serious and dispassionate representing the same would to all men that regard the weight of an Oath, be very acceptable, I have with as much recollection of thought as I could fairly and impartially writ my opinion thereof *Casuistically*, and shall very shortly send it your Lordship for your perusal.

And

And indeed as I should not think I dealt candidly with any person of the Popish perswasion if I should be severe to him, before I had a Moral Certainty of his having imbibed any of the Principles imputable to Popery, that may be called unmoral or inhumane, so it would especially seem to me somewhat like the *drawing on a naked man*, for a Protestant at this time to write for the devesting any Popish Prince of his legal Property, when few or no Writers of the Church of *Rome* either do, or dare, for fear of offending the Pope, draw their pens for the preservation of such his property, without respect to any Religionary Tenets he may hold.

What the *Pope* did to obstruct King *James's* Succession, I have mentioned, and what favour any Protestant Prince can hope for from the Holy See, may appear out of *D' Ossat's* Letter to *Villeroy* in the Year 1598. Book 4th, where having spoke of the Artifices used to the Pope to make him believe, that if *Harry* the 4th recovered the *Marquisate* of *Salusium*, it would be Commanded by *Hugonots*, he thereupon adviseth the King to declare the Contrary to the Pope and adds, *I would not interpose to write this to you, if I did not know that the Pope and all this Court hold that to maintain the Catholic Religion in a Country, and to preserve it from Heresie, his Holyness may and ought to deprive the true Lord and Possessor of it, and give it away to any other who hath no property therein, and who shall be more able and willing there to preserve the Catholic Faith.*

I met with some passages lately in a Pamphlet, that concerned the Succession, where the Author having liberally descanted on the words *Heirs* and *Successors*, in the Oaths of *Allegiance* and *Supremacy*, saith, *as I will not take up Arms without the Kings Commission, nor enter into any Association to commence in his life time against his Consent, &c. so any one by whom or for whom any resignation of his Majesties Power shall be extorted shall not reign over me*: and there was another very coarse expression there applyed to a very fine Person, and one so every way truly great that every Age doth not produce, viz. *That the House of Commons conned little thanks to George Earl of Hallifax, &c.* but according to the licence of Speech used by that Author, I shall venture to declare that where ever I have a Suffrage in the Choice of a Parliament-man, if any Candidate shall tell me that he served in the place before and was for an *Exclusion Bill*, rather then the Kings Offers, and without advising with his Country would have any one of the Royal Line Secluded from his Title to the Throne, on the account of any Religionary Tenet (for our *English* Antiquities afford Footsteps of Parliament-men on some weighty matters, consulting their Towns or Counties that chose them) such a one if I can help it, shall never represent me: and moreover he who doth not with acknowledgments of Honour and Gratitude to the Earl of *Hallifax*, mention that *Bill* that he brought into the House of Lords, in order to the extermination of Popery, that I spake of before, and wish it lodged in our Statute Book, that man if I can help it shall never represent me.

I am not so rash in my efforts against Future time as perhaps that Author was, and can cite a great Name for the reasonableness of *Representatives* advising with those they represent in matters of great moment to the State, and to this purpose the Lord Viscount *Falsland* Secretary of State, in a Printed Draught of a Speech concerning *Episcopacy*, &c. saith p. 4. *Mr. Speaker, Tho we are trusted by those that sent us in Cases wherein their opinions were unknown, yet truly if I knew the opinion of the Major part of my Town, I doubt whether 'twere the intention of those that trusted me that I should follow my own opinion against theirs*, and thereupon his Lordship advised

vifed the House of Commons not to do any thing againſt *Epifcopacy*, and at leaſt to ſtay till the next *Session*, and conſult more particularly with their Electors about it. And if according to the example of that great man any of our Contenders againſt *Popery* had thought fit to conſult with thoſe they represented, about the meeting thoſe Royal and Frank offers with hearty embraces, they would perhaps have found the generality of thoſe they represented, zealous for their ſo doing: and if they that perhaps with a well intended Gallantry of Courage and ſcorn of Popery, threw out the *Bills* that came from the *Lords* in the Year 1677, ſhould ask thoſe they represented if they do not now wiſh thoſe Bills had then paſſed into Laws, I believe they would ſay, they did: and if they were asked whether that Bill I mentioned before that was brought in by the Earl of *Hallifax* had not likewise paſſed into a Law, I believe they would wiſh it had.

I preſume not to inveigh againſt any of our late Loyal *Parliaments* whatever ſlips in Politics were by any there made, or Arbitrary Votes there paſſed againſt particular Perſons, and am as impatient when I hear any inveigh againſt our Representatives who in the contention of Popery exerted all the ſtrength of the faculties of their minds what ever errors they fell into, as I ſhould be if I heard any Principal ſpeak unkindly of his Second, who contending for him in *loco lubrico*, or fencing on the Ice did ſlip, and ſhall be as apt as any to wiſh and hope that now ſuch have conſulted with their Country as the *Agonothetæ*, and know their opinions better then formerly, that they will take other meaſures; and eſpecially when they ſee the preſent State of Chriſtendom importuning us to be quiet more then formerly, and thus in the old *Agonistic Games* many of the *lapſi athletæ* came to be Crown'd. The *Rule* in thoſe *Games* was that the Agoniſts were to make three Attaques on each other, and he that did ſlip or go back in the firſt and ſecond, if yet he overcame in the third On-ſet was lawfully Crown'd, and good luck (ſay I) have they with their honour, who having an opportunity of a third Assault againſt Popery, ſhall out-do not only others but themſelves: and I have the Charity to believe that what the great *Athletæ* did in the Excluſion Bill was thought lawful by them, and that they thought therein they did not *transilire metas*.

And 'tis but with Juſtice that the generality of the People of *England* ſeem as *Agonothetæ* to have judged of the temper of our Prince in this Religionary *Certamen*: and I believe whatever time can cauſe, that yet among all compoſed and ſedate Minds, his Majeſties deportment in the late Conjuuncture will never happen to be forgot, and particularly his *wreſtling* with his Parliaments (as I may ſay) by ſeveral Gracious Offers and Messages relating to the ſecurity of the Proteſtant Religion, and to the making of *English Men* everlaſting *Comprehenſors* of the ſame. He notified it to them by the *Lord Chancellor* on March the 11th 78. That this is the time to ſecure Religion at home and ſtrengthen it from abroad, by ſtrengthening the Interests of all the Proteſtants in Europe, &c. The reſults of this Council ſeem to be deciſive of the fate of this Kingdom, &c.

And I muſt confeſs I wiſh that *tempus acceptabile* (as I call'd it before) had been accepted of, that great Critical Moment of time when the curious needed no intelligence from that Oracular Stateſ-man of the meaſures taken abroad to extirpate Proteſtancy, and when its Enemies in ſome Countries thought they had the *life* of that Religion as ſure within their gripe as he had that of the *Bird*, when out-braving the Oracle, he ask'd if the Bird in the hand were dead or alive, and when all his Majeſties real acceptable offers were thus reiterated to all the noble Contenders, and offered like the
water

water of life to prevent their fainting in their Race, and that *without Money and without Price*.

And because his Majesties Title hath appear'd as due to his *Agonists*, Crown as to his Inheritable Royal one, for having in the several *periods* of his life at home and abroad *contended so earnestly* for the Protestant Faith; and purchased an immunity from Envy it self (and that according to the right of that *Law* in the *Code*, that restrains the obtaining of *Immunities* only to such a one who hath striven *per omnem ætatem cum cœvis*, and hath to the *Athlotletæ* given proof of his valour from his youth, and who hath at least *in tribus agonibus* been Conqueror) I think the rather that a *Crown of Justice* is laid up for him both in time and in eternity for his preserving the property of his *Line*, in some of those his earnest *Messages* aforesaid, and for that he did not by the infringing the Legal Rights of that (as I may say) *transilire lineas*, or by doing any thing of the Justice whereof he doubted and much more of the Injustice whereof he was fully convinced.

As the figure of a Crown must be entire, so must every good Action consist of entire Causes that is to be rewarded with it: and any Prince who doth deliberate of the doing a thing in it self unjust has need of the *Caution* given to the *Angel* of the Church in *Philadelphia*, *hold fast that which thou hast, that no Man take away thy Crown*: and indeed for a Monarch to do an Act of Injustice is a greater misfortune to him than to be deposed, the latter being but the evil of punishment, and the former of sin. I reading lately in *Klockius de ærario* was ashamed to see the 41 *Summarium* of Chap. 109th, Book 2d, to be this, *viz. A Justitiâ licite in parvis subinde variari ut in majoribus inviolata sit*: and ashamed to find in that Chapter *Tacitus* quoted by him for it, and saying, *Habet aliquid ex iniquo omne magnum exemplum*, and *Plutarch* cited for saying, *A justitia in parvis rebus nonnunquam abeas, si salvam eam voles in magnis*. But honest *Cicero* tells us better things, and that, *Nihil honestum esse potest quod justitiâ vacat*; and the Christian Morallity I am sure prohibits the doing of one unlawful Act, tho the effect of it would be the restoring the whole Creation *in integrum* to its first State in *Paradice*, and it enjoyns the fortitude of *not fearing those that kill the Body, but are not able to kill the Soul*, as our Saviours words are in *St. Math. 10. 28*. and where he doth not say, *fear not those that can kill the Body*, but who do actually and frequently kill the Body: *but are not able to kill the Soul*, implying that unjust men often labour to do that, and would do it if they could, and their cursed sollicitude therein is not capable of being practised more then by endeavouring to prevail on Men by fear of imminent bodily danger to warp from principles of Justice, and the Scripture doth annex *the Crown of Life* to the condition of being *faithful unto death*, and to *not fearing the things to be suffered*, as 'tis said in *Rev. 2. 10*. the *ominous Text* Preached on at the *Coronation* of the *Royal Martyr*.

And as it is a saying that *Must is for the King*, so he that *Rules over Men* must be just, ruling in the fear of God, as part of the last words of King *David* assures us, and must not by fear of Man do any unjust thing that would imply his intermitting the filial fear of Heaven, which is justly punished by being abandon'd to the *Servile Fear* of Man, and to that fear bringing a *Snare* (as that *Kings Son* hath in his *Proverbs* told us) and when otherwise he might have made his own wrath as the roaring of a *Lion* as *Solomons words* are.

And 'tis when exact Justice is as it should be fixed in the Firmament of a Princes Mind, that its brightness is above being Ecclipsed by any popular

temptations or fears, that it resembles the fixt Stars whose great height dazles the eyes of gazers and which Stars cannot be eclipsed by the shadow of the whole earth.

The Populace and their Multitudes and Commotions are in the Scripture frequently compared to *water* and the *Sea*, and like that, they are apt to be eating towards the Roots of the Powers of Sovereigns; but while the Mountains of their Power are bottom'd on Natural Justice, all the preying of the Sea of the People there makes but the promontory more surely guarded, and appear more majestic as well as be more inaccessible. And of this Sea of the People as I would wish every Prince in the just observance of the Municipal Laws of his Country to espouse the Interest as much as the *Duke of Venice* doth his *Adriatic*, yet should I see one for fear of Popular Envy or Obloquy forbearing to administer *Justice*, or to follow the real last Dictates of his practical understanding rightly informed, and servily giving up himself to obey any mens preterded ones, I should think it to be as extravagant a Madness as *Hydrophoby*, or fear of water, on the biting of a Mad Dog; and while a Sovereign observes the immutable Principles of Justice, he may acquiesce in the results of Providence, and expect that the troubling of the waters may be like that of the *Angel* before the time of healing, or a Conjunction of the Peoples being possessed of healing Principles: and in fine, a King when he finds the Waters of Popular Discontent more tumultuous by Religionary Parties as *two Seas* meeting, as for example, Papists and Presbyterians, he may depend on his being near Land, that being always near where two Seas meet: and let every Prince be assured that 'tis not only *Popery* but *Atheisme* in *Masquerade* to do an unjust Act to support Religion.

I know that it hath been incident to some good men to strain pretences beyond the nature of things for justifie Causes of War abroad in the World to advance the Protestant Religion. And thus in the last Age, the Crown and Populace of *England* being clutter'd with the Affair of the *Palatinate*, the Prince Palatine had here many well-wishers to his Title for the *Bohemian Crown*: and *Rushworth* tells us in his 1st Vol. Ann. 1619. That he being Elected King of *Bohemia* craved Advice of his Father in Law the King of Great Britain, touching the acceptation of that Royal Dignity: and that when this Affair was debated in the Kings Council, Arch-Bishop Abbot whose infirmity would not suffer him to be present at the Consultation, wrote his mind to Sir R. Nauton the Kings Secretary, viz. That God had set up this Prince his Majestie's Son in Law as a Mark of Honour throughout all *Christendome* to propagate the Gospel, and protect the Oppressed. That for his own part he dares not but give advice to follow where God leads, apprehending the work of God in this, and that of *Hungary*: that by Piece and Peece the Kings of the Earth that gave their power to the Beast shall leave the Whore, and make her desolate, that he was satisfied in Conscience that the *Bohemians* had just Cause to reject that Proud and Bloody Man who had taken a Course to make that Kingdom not Elective, in taking it by Donation of another, &c. And concludes, Let all our Spirits be gathered up to animate this Business, that the World may take notice that we are awake when God calls.

Rushworth saith, that King *James* disavowed the Act of his accepting that Crown, and would never grace his Son in Law with the Style of his new Dignity.

And in King *Charles* the Firsts time, in the *Common-Prayer* relating to the Royal Family, the Prayer runs for *Frederick Prince Palatine of the Rhine*, and the *Lady Elizabeth his Wife*: yet in the *Assemblies Directory* afterward

afterward as to the Prayer for the Royal Family, that Lady *Elizabeth* is Styled *Queen of Bohemia*.

But our Princes not being satisfied, it seems that the *Palatine* of the *Rhine* had a just Title to the *Bohemian* Crown, thought it not just for them to assert it.

However, that Arch-Bishop *Abbot*, the *Achilles* of the Protestants here in his Generation, thought that the *English* Crown ought to descend in its true *Line* of Succession whatever profession of Religion any Member thereof should own, appears out of Mr. *Pryn's Introduction to the History of the Arch Bishop of Canterburies Tryal*, where having in p. 3. mentioned the *Articles* sent by King *James* to his Embassador in *Spain* in order to the Match with the *Infanta*, and that one was, *That the Children of this Marriage shall no way be compelled or constrained in point of Conscience of Religion, wherefore there is no doubt that their Title shall be prejudiced in case it should please God that they should prove Catholicks*, and in p. 6. Cited the same in *Latin* out of the *French Mercury*, Tom. 9. as offered from *England*, *Quod liberi ex hoc matrimonio oriundi non cogentur neq; compellentur in causa religionis vel conscientiae, neq; leges contra Catholicos attingent illos, & in casu si quis eorum fuerit Catholicus, non ob hoc perdet jus successionis in Regna & Dominia Magnae Britanniae*, and afterward in p. 7. mentioned it as an Additional Article offer'd from *England*, *That the King of Great Brittain and Prince of Wales should bind themselves by Oath for the observance of the Articles, and that the Privy Council should Sign the same under their hands, &c.* He in p. 43. mentions Arch-Bishop *Abbots* among other Privy-Counsellors accordingly Signing those *Articles*, and further in p. 46. mentions the Oath of the *Privy-Council* for the observance of those *Articles* as far as lay in them: and had before given an account not only of Arch-Bishop *Abbots*, but of other *magna nomina* of the Clergy and Layety in the *Council* that Signed the same, and particularly of *John Bishop of Lincoln Keeper of the Great Seal*, *Lionel Earl of Middlesex Lord High Treasurer of England*, *Henry Viscount Mandevile Lord President of the Council*, *Edward Earl of Worcester Lord Privy-Seal*, *Lewis Duke of Richmond and Lennox Lord High Steward of the Household*, *James Marquess of Hamilton*, *James Earl of Carlile*, *Lancelot Bishop of Winchester*, *Oliver Viscount Grandison*, *Arthur Baron Chichester of Belfast Lord Treasurer of Ireland*, *Sir Thomas Edmonds Kt: Treasurer of the Household*, *Sir John Suckling Comptroller of the Household*, *Sir George Calvert and Sir Edward Conway Principal Secretaries of State*, *Sir Richard Weston Chancellor of the Exchequer*, *Sir Julius Cæsar Master of the Rolls*, who had done the same.

Mr. *Pryn* afterward in p. 69. having mentioned the Dissolution of the *Spanish Match*, gives an account of the bringing on the Marriage with *France*, and saith, *It was concluded in the life of King James, the Articles concerning Religion being the same almost Verbatim, with those formerly agreed on in the Spanish Treaty, and so easily condescended to without much Debate: and referreth there to the Rot. tractationis & ratificationis matrimonii inter Dom. Carolum Regem & Dom. Henrettam Mariam sororem Regis Franc. i Car. in the Rolls.*

The *Demagogues* of the old long Parliament who made such loud Outcries of the danger of Popery here and of their strenuous endeavours to free the Kingdom from it, had nothing in their *Famous 19 Propositions* to bar the right of any Heir to the Crown for the being a Papist. The exact Collections afford many instances of their declaring, *That they would provide for the greatness of his Majesty and his Royal Posterity in future times, and in which there was no Prouiso respecting any Religious Tenets they should profess.* It

It appears in Mr. Pryn's memorable Speech in that House of Commons on Monday the 4th of December, 1648. touching the Kings answers to the Propositions of both Houses, whether they were satisfactory or not in the Isle of Wight Treaty, that that Parliament that was concern'd for the saving of their own Credit as well as the Souls of the People to make that Treaty to end with the extermination of Popery from England, did not in the application of the most proper means for that purpose, judge the debarring any Popish Prince here from his Inheritance of the Crown any proper, or necessary one. For in p. 58. of that Speech 'tis said, *As to any danger to our Church from Religion there is as good Security and Provision granted us by the King, as we did or could desire even in our own terms.* First, *He hath fully consented to pass an Act for the more effectual disabling of Jesuites, Papists and Popish Recusants from disturbing the State and deluding the Laws, and for the prescribing of a new Oath for the more speedy discovery and Conviction of Recusants.* Secondly, *To an Act of Parliament for the Education of the Children of Papists by Protestants in the Protestant Religion.* Thirdly, *To an Act for the due Levying the Penalties against Recusants, and disposing of them as both Houses shall appoint.* Fourthly, *To an Act whereby the practices of the Papists against the State may be prevented, the Laws against them duely executed, and a stricter Course taken to prevent the saying or hearing of Mass in the Court or any other part of the Kingdom: whereby it is made Treason for any Priests to say Mass in the Court or Queens own Chappel.* Fifthly, *To an Act for abolishing all Innovations, Popish Superstitions, Ceremonies, Altars, Rayles, Crucifixes, Images, Pictures, Copes, Crosses, Surplices, Vestments, bowings at the name of Jesus or toward the Altar, &c.* By all which Acts added to our former Laws against Recusants, I dare affirm we have far better Provision and Security against Papists, Jesuites, Popish Recusants, &c for our Churches and Religions Safety and States too, then any Protestant Church, State and Kingdom whatsoever: so as we need not fear any future danger from Papists or Popery if we be careful to see those Concessions duely put in Execution, when turned into Acts, and our former Laws.

And afterward in that Speech p. 110. he shews how dear the Kings consenting to pass five such Acts cost him: for saith he, *The Jesuites understanding that the King beyond and contrary to their expectation hath granted all or most of our propositions in the Isle of Wight, and fully condescended to five new Bills for the Extirpation of Mass, Popery and Popish Innovations out of his Dominions and putting all Laws in Execution against them, and for a speedier Discovery and Conviction of them then formerly, &c are so intraged with the King and so inexorably incensed against him (as I am credibly informed) that now they are mad against him and thirst for nothing but his Blood.*

Mr. Pryn had mentioned in that Speech before, that some Jesuites and Jesuited Agitators had engaged the Army to dissolve that Treaty with the King: and 'tis no wonder if that prying Order who knew the Kings Aversion to Popery, as well as the most stupid of his Enemies did when they saw him consenting to pass five such Bills, was the more brisk in executing its Designs against him, and that as Mr. Pryn saith in his perfect Narrative, a Priest present at the Kings death flourished his Sword with an exclamation, *That now the greatest Enemy we had in the World was gone.* But this by the way. I had not mentioned how dear the consenting to those Bills, that would have been so fatal to Popery and have prevented the Phrase of its growth from being used at this time of day, ^{cost him,} but that some persons not vers'd in the passages of those evil days, seem to think that there was nothing of Religion to support that Kings Title to Martyrdom, but what concern'd his Adhesion to Episcopacy and its Revenue.

In the very solemn League and Covenant its takers declared, *they had before their Eyes the honour and happiness of the Kings Majesty and his Posterity.* And I have seen a printed paper of the Presbyterian Divines of one of the Associations in the late times, wherein they do expressly affirm and argue it that any of the Royal Posterity here ought not to be debarr'd from their Hereditary Right to the Crown, by being either Papists or Idolaters.

If we look so far back as the great Conjunction in the beginning of King James's Reign, namely in the year 1605. we shall find that there was then a Paper before mentioned published in Print called a *Protestation of the Kings Supremacy made by the Nonconforming Ministers* which were suspended or deprived that year, and that the first Paragraph or Tenet in that Protestation is this, *We hold and maintain the same Authority and Supremacy in all Causes and over all Persons Civil and Ecclesiastical, granted by Statute to Queen Elizabeth, and expressed and declared in the Book of Advertisements and Injunctions and in Master Bilson against the Jesuites, to be due in full and ample manner (without any limitation or qualification) to the King and his Heirs and Successors for ever, &c.* And the 4th Paragraph in that Protestation (part whereof I have before recited) is, *viz. We hold that though the Kings of this Realm were no Members of the Church but very Infidels, yea and Persecutors of the Truth, that yet those Churches that shall be gathered together within these Dominions, ought to acknowledge and yield the same Supremacy to them. And that the same is not tyed to their Faith and Christianity, but to their very Crown, from which no Subject or Subjects have power to separate or disjoyn it.* And in the 18th Paragraph they say, *That if the King subjecting himself to Spiritual Guides and Governors shall afterward refuse to be governed and guided by them, according to the Word of God, and living in notorious sin without repentance, shall willfully contemn and despise all their Holy and Religious Censures, that then these Governors are to refuse to Administer the Holy Things of God to him and to leave him to himself, and to the secret Judgment of God, and wholly to resign and give over that Spiritual Charge and Tuition over him; which by calling from God and the King they did undertake. And more then this they may not do.* And after all this we hold that he still retaineth and ought to retain entirely and solidly, all that aforesaid Supreme Power and Authority over the Churches of this Dominion, in as ample a manner as if he were the most Christian Prince in the World.

If therefore any shall think it reasonable to pronounce that the substantial Interest of Protestancy, and of the Kingdom doth *Stare moribus antiquis eisque*, I have pointed them to Arch-Bishop Abbot, to Bishop Andrews the Antagonist to Bellarmine (under the weight of whose Arguments Bellarmine fell in the Certamen) and to others of our old Counsellors of State, and particularly Arthur Baron Chichester of Belfast, Lord Treasurer of Ireland, your Lordships Noble God-Father, (in comparison of many of whom when we look on some of our great Politic and Protestant-would-be's of this Age, and who would let none be Protestants but themselves, we may well cry out, *In qualem paulatim fluximus urbem*) and have shewn how those great Confessors by their Overt Acts provided against the belief of the Doctrine of Popery, without the barring any of the Royal Line from the inheriting the Crown. And when I see some of our (till of late) unheard of Statists so eager to dispossess the Land of the Evil Spirit of Popery by illegal means, and the use of the great Name of Protestancy as a Spell, I fancy to my self that they may be call'd on by it, as the Jewish Exorcists were in the Acts of the Apostles, who taking on them to call over

them which had evil Spirits, the Name of the Lord Jesus, saying we adjure you by Jesus whom Paul preacheth, the evil Spirit answered and said, Jesus I know, and Paul I know, but who are ye? Thus to any who shall say that there is no way possible to secure English Mens continuing Protestants, but by breaking in on the Succession in the Right Line, may it be returned by Popery, the old Protestants of the Church of England I know, and the old Nonconformist Protestants, and the old Covenanting Presbyterian Protestants I know, who knew otherwise to secure Protestantcy, and likewise the French Protestants I know, who never practised any Out-rage against the Great Harry the 4th of France's Government after he had left Protestantcy, but who are ye? The truth is, the Protestants in France so vastly numerous in his time (which any one may imagine, who considers that the most careful thinking men in that Realm make them now to be two Millions, and that a judicious French Author hath writ, that the Jesuites have lately computed them to be above a Million and a half) have shewn the World a great example of their Protestant Loyalty in that they were ready as chearfully to obey their Prince when he was a Papist, as when they served him in set Battels against the Power of the holy League, and the Majority of his Nobles, and of his Metropolis, and of the chief Cittadels in his Realm.

After they saw him go to Mass, they never call'd him Julian, or Lampoon'd him in Hymns, or demurred to his Beard, or had any fears or jealousies of his touching a hair of their heads, nor threatned him that the Galilean would foil him: and no Language could have more truly expressed their Sentiments then that of the Famous Pierre du Moulin in his defence of the Faith, *Nous sommes prests d'exposer nos vies pour la defence de nos Rois, contre qui que ce soit, fust-il de nostre Religion. Quiconque feroit autrement, ne defendroit point la Religion, mais serviroit son ambition, & attireroit un grand blame sur la verite de l'evangile.* i. e. We are ready to expose our lives for the defence of our Kings against whomsoever it be, although of our own Religion. And whosoever should do otherwise, should not defend Religion, but serve his own ambition, and would draw a great reproach on the truth of the Gospel. Considering the indeleble Character of Harry the 4th's Protestant Good Nature, his Subjects of that Religion did prepare their thoughts to be Lachrymists for him, rather then themselves, and knew that by his Coverfion to Popery, if in this life only he had hopes, he was of all men most miserable, and that his absolution left him only in the State of a Crown'd Victime.

I have before mentioned the *Apology* for that Scholar of the Jesuites John Chastel, which endeavours to prove that Harry the 4th was by that Assassin not only wounded very fairly according to the Language of the Brothers of the Blade, but in the Style of their Honour according to the Jesuites Morals very heroically, and as the Contents of Cap. 1. Part. 3d, of the *Apology* expresses it, *Actus Castelli heroicus est in substantia sua.*

He moreover tells us in plain terms Part. 2. Cap. 7. that *Excommunicatio quæ ab hæresim irrogatur, remedium potius est ecclesiæ quam excommunicato, &c.* and that *Excommunication for Heresie* doth quite take away any Regal Right; And in Cap. 8. before mentioned, (*viz. Neque etiam à Papa absolutus Rex esse potest*) he asketh, *Quod si quærat quid ergo absolutio præstet, si jus amissum non redeat?* And it followeth, *Quod si absolutus impænitens existat, effectus alius non foret, quam is de quo supra, ita si (quod Deus velit) pænitentia foret vera, certe effectus propterea non exiguus esset futurus: utpote in spiritualibus, remittendo illum in ecclesiæ gremium, & regni Cælorum Capacem*

cem reddendo: temporalium vero respectu, quicquid illa operari posset, foret ad reddendum eum compotem novi juris, & per electionem auferendo impedimentum in foro fori: quo durante is ille esse non posset. And then he saith, *The Pope cannot confer such new Right to the same Kingdom on him, for that it depends not simply on the power of the Keys so to do, and in fine, makes the Right to the Crown irrevocably devolv'd on the next person capable who has a right to it, quum (saith he) ratum sit inter jurisconsultos, incapacem haberi ut mortuum, & non impedire sequentes.* In the 3^d Chapter of the 2^d Part namely, *That Henry of Bourbon cannot be called King by reason of his pretended Conversion, the vile Apologist derides the Conversion of this Great King, and labours to prove by fifteen Instances, That after his Conversion he did favour the Cause of Heresy more then ever, and particularly by his observance of his Leagues and Agreements with the Queen of England and other Hereticks, ut experientia (saith he) per novas ejus actiones locupletissime testatur.*

Etenim primò fœderum pacta cum hæreticis sarta teetaq; servat: quibus ut hætenus nondum renunciavit, ita neque dum renunciare cogitat.

Secundò ipsi hæritici in Germaniâ, Genevæ & alibi ejus actiones comprobant.

Tertio contemnit Catholicos & promovet hæreticos: illos repudiat atq; rejicit, hos verò muneribus honorat amplissimis & angustissimis in toto regno, & alibi tum bello, tum pace, &c.

Quartò consilium suum è puris putis hæreticis stabilit, &c.

So that after he had with St. Peter denied his Lord, the followers of St. Peter's pretended Successor, call'd him in effect a *Galilean*, and said that the *Speech* of his *Actions* bewrayed him; and after his absolution he continued in effect, what the Pope styled him in his *Bull* of Excommunication, *filius iræ*, and after as a *Prodigal* having fed among heretical Swine, he returned to his *Romish* Ghostly Fathers house, and had cryed, *peccavi*, and *abjured*, and his Father had compassion on him, he experimented the contrary to, for this my Son was dead and is alive again, and himself was the fatted Calf that was slain; and so much wantonness was shewed by the contrivers of his dire fate, that *Gassendus* in his *life* of Peiresk, Book 2^d shews how in the beginning of the Year 1610. An Almanack or yearly Prognostication was brought out of Spain, in which the Accidents of Harry the 4ths death were foretold, and that it was sent to his Majesty to read, who slighted it, as *Gassendus* did likewise all judicial Astrology, but yet supposed that the figure-finger might possibly be acquainted with the Plot against that Kings Life: and saith, sure I am it could not be perfectly conceal'd either in Spain or Italy: for even the Kings Ambassadors and particularly the most excellent *Johannes Bochartus* Lord of Champigny then Agent at Venice, had already preadvertised his Majesty thereof: and it was sufficiently proved that all the Sea-faring Men of *Marseilles* who for two Months before came from Spain, brought word that there was a report spread abroad in Spain, that the King of France was already or should be killed by a Sword or Knife.

Poor Harry the 4th! He who while a Protestant had Dominion over his own Stars, and his Enemies Stars too (for they were his Enemies who made him first be call'd Great, and their designing to ruine him by embroiling France in Civil Wars, tended to the advancement of his Interest and his Glory, and the Artifices by which they thought to have chased him out of *Guyen* brought him into the heart of France, and their former by unjustifiable practices urging the King his Predecessor, to have prosecuted him with more violence then he had done, was the cause of his being reconciled to that King) and who then in the most dark and stormy night of his Affairs

Affairs never wanted that Illumination from above, which was like a Star to him, and not only a sign of fairer weather, but a mark of direction in the soul, and which would have furnished his Portraiture in Story with another guess Star than that usually engraved on *Cæsars* Image, and which by its blazing seven days ore the Games consecrated to *Cæsar* by *Augustus*, did make him *inter Divos*, and did awe the World as being thought his Soul which vouchsafed from Heaven to visit it with its lustre, this *Harry* the 4th, was at last grown the *ludibrium* of Star-gazers.

And if any one shall say that *Franciscus de Verona Constantinus* the Author of the *Apology for Chastel*, was not a *Voucher* good enough for the spreading the Belief of the Doctrine, that *Heretical Princes* by their *absolution* from the Pope are not restored to their *Regal Rights*, let him consult the Great *Thuanus* and he will find that in his *Book* 135, and on the Year 1605 (where he gives an account of the *Gun-powder Treason* here) he saith that the Conspirators therein, *Ante omnia conscientiam instruunt, eaq; instructa ad facinus audendum obfirmant animum: sic autem à Theologis suis differebatur.* That *Hereticks* are yearly excommunicated by the Pope in the *bullæ cœnæ*, and are ipso facto, fallen into the punishment of the Law, and that thence it followeth that *Christian Kings* if they fall into *Heresy*, may be deposed, and their Subjects released immediately from their *Princes Dominion*, *nec jus illud recuperare posse, etiamsi ecclesiæ reconcilientur.* *Ecclesiam communem omnium parentem cum nemini ad eam redeunti claudere gremium cum dicitur, adhibitâ distinctione interpretandum esse, modo non sit ad damnum & periculum ecclesiæ.* Nam id verum esse quoad animam, non quoad Regnum. Nec solum ad Principes hac labe infectos pœnam extendi, sed etiam ad eorum filios qui à Regni successione obvitium paternum pelluntur: hæresim quippe lepram, & morbum hæreditarium esse, atque ut disertius res exprimatur, Regnum amittere qui Romanam Religionem deserit, diris illum devoveri, nec unquam ipsum aut illius posteros in Regnum restitui: quoad animam à solo Pontifice posse absolvi. His se rationibus cum satis tutos intus existimarent, munimenta externa conjurationi quærere cœperunt &c. ita ad facinus non solum licitum & laudabile, verum etiam meritum à Theologis suis auctorati accesserunt.

They thought it seems that by the Authority of the Doctrines of those Divines they might blow up the King and three Estates with Gun-powder very fairly.

It is a thing that cannot have escaped your Lordships curious Observation, that both the Nonconformists and Papists were sturdy Petitioners to King James in the beginning of his Reign, that he would be a Fautor to them and their Hypotheses. In April in the Year 1603, a Petition was presented to him call'd, the humble Petition of the Ministers of the Church of England, desiring reformation of certain Ceremonies and Abuses of the Church, and there they particularly desire, that Ministers may not be urged to subscribe but according to the Law, to the Articles of Religion and the Kings Supremacy only, and that none migat be excommunicated without the consent of his Pastor, and therein they complain of Ministers being suspended, silenced, disgraced, imprisoned for Mens traditions.

This Petition was commonly called the *Millenary Petition*, the Petitioners averring themselves to be more then a thousand: and an animadverting Answer was made to the same by the Vice-Chancellor and Doctors, and Proctors, and Heads of Houses in the University of Oxford, and printed in the Year 1604.

Methinks a Humble Petition with a thousand hands is a kind of *Contradictio in adjecto*. But the University in their Animadversions on the Petition do observe that the two contrary Factions of Papists and Puritans did shew

shew themselves by their Petitions discontented with the present State and Ecclesiastical Government. They mention particulars as parallels wherein their *Petitions* agreed and resemble them to *Samsons Foxes*, &c.

I had occasion before to mention to your Lordship the *Supplication of the Papists to King James*, that was Contemporary with that of the *Puritans*, and printed too in the same year; and tho I remember not any of our *Historians* to have given the World an account of that memorable Petition, yet the Impartial *Thuanus* doth it: and in *Book 135.* and on the Year 1605. going to relate the *History of the Gun-powder Treason*, he saith, *Ad libellum supplicem pro libertate Conscientiarum à Majorum Religioni addictis* (i.e. the Papists) *in proximis Comitibus oblatum, & à Rege rejectum, fama erat, alium his proximis, quæ jam aliquoties dilata erant, porrectum iri, qui non repulsæ ut prior, periculum, sed concessionis vel ab invito extorquendæ necessitatem adjunctam haberet. Itaque qui regni negotia sub principe generoso ac minime suspicioso procurabant, nihil pejus veriti in eo laborabant ut petitiones & iis adjunctam necessitatem eluderent. Verum non de gratiâ, de quâ desperabatur decimò obtinendâ, sed de repulsâ illâ vel cum regni exitio, quod minime rebantur illi, inter conjuratos agebatur.*

And as to the *Puritans* Petition to King James, *The Resolution of the Lords* and likewise of the *Judges* assembled in *Star-Chamber* shortly after, doth I think refer to it in the 3^d §. viz. *Whether it was an offence punishable and what punishment they deserved, who framed Petitions and Collected a Multitude of Hands thereto to prefer to the King in a publick Cause, as the Puritans had done with an intimation to the King that if he denied the Suit, many thousands of his Subjects would be discontented, where to all the Justices answered, that it was an offence finable at discretion and very near Treason and Felony in the punishment, for they tended to the raising of Sedition and Rebellion, and discontent among the People, to which resolution all the Lords declared that some of the Puritans had raised a false rumour of the King how he intended to grant a toleration to Papists, &c. And the Lords severally declared how the King was discontented with the said false rumour, and had made but the day before a Protestation to them that he never intended and would spend the last drop of Blood before he would do it.*

I remember not in the *Milkenary* Petition any such expression as the insolent intimation, that *thousands would be discontented if it were not granted*: but do on the occasion of this ruffianly way of petitioning by Papists and Puritans, remember what *Alexander ab Alexandro* speaks of the *Persians* who worshipped *Fire*, that they did once in their supplicating their God, threaten him that if he would not grant their Request they would throw him into the water.

It was therefore no imprudent Act of the *Nonconforming Divines* who had been deprived of their Livings to publish voluntarily such a *Protestation* of their Tenets as aforesaid, after the detection of the *Papists Gun powder Treason Plot*, and by which Act the Government was diverted from putting such a *Cautionary Test* on their Party as was on the Papists by the *Oaths of Allegiance and Supremacy*.

Certain it is that both the Parties appeared very rude in the manner of their Petitioning. In the *Decrets* where the *Text* saith that a thing is done *Contra fidem Catholicam*, the gloss explains it to be *Contra bonos mores*, and so it may be said that both the Petitioners for the *Roman Catholick Faith*, and for the others alledged *Catholick Faith* were injurious to each by their unmannerly Petitionings, as well as to their Prince: and their being both such frequent Aggressors against his quiet, gave occasion for the *Question* to vex his Reign, viz. *Which were the worse of the two, or whether they were not equally bad, and so*

many may carelessly render them according to the saying, *Rustici res secant per medium.*

What Bishop *Elmore* the Bishop of *London* thought in such a Case I have said, and yet that *Bishop* as *Fuller* tells us in the *Church History*, was a *Learned Man* and a *strict and stout Champion for Discipline*, and on which account was more mock'd by *Mar-Prelate* and hated by the *Nonconformists* then any one. And a great *Son* of the Church and *Minister* of the *State*, hath judiciously in a publick *Speech* inculcated the different regard to be had to those who *stray from the Flock* and those who would *destroy it*. Moreover a great *Justiciary* of the *Realm*, in the *Tryal* of one of the *Popish Plotters*, took occasion to observe, *That Popery was ten times worse then the Heathen Idolatry.*

And *Dr. Burnet* in a printed *Sermon*, having said, *That in many places Lutherans are no less and in some they are more fierce against the Calvinists then against Papists*; adds, *like a strange sort of People among our selves, that are not ashamed to own a greater aversion to any sort of Dissenters then to the Church of Rome.* I hope the *Authority* of that great *Divine* and excellent Person will in the point of this Comparison help to allay such a mistaken *Aversion* to some mistaken *Dissenters*. I care not who knows the great deference I have to the judgment of that great *Historian* of our *Reformation*, and whose *History* of which as the *House of Commons* has done right to by one of their *Votes*, so likewise hath the highest *Judicatory* in *England*, I mean the *House of Lords* by a late *Order* of theirs, by which the *Thanks* of that *House* are given him for the great service done by him to this *Kingdom*, and to the *Protestant Religion*, in writing the *History* of the *Reformation* of the *Church* of *England* so truly and exactly, and that he be desired to proceed to the perfecting what he further intends therein with all convenient *speed*, &c. As the words in the *Journal* are.

My reading lately ten small printed *Controversial Discourses* between two *Baronets* of *Cheshire* near of kin to each other (in which are many references to *Historical Antiquities*) concerning the *Illegitimacy* of one *Amicia*, Daughter to one of the *Earls* of *Chester*, and my observing that one of those *Authors* blames the other for not better learning the duty to his deceased *Grand-mother* (as his words are) then by divulging the shame of her *Illegitimacy*, and saith, *there is no Precedent in Scripture* of any man that did divulge the shame of any person, out of whose loyns he did descend except the wicked *Ham*, and that the other *Author* thinks himself on the account of truth, and for its sake to assert her *Illegitimacy*, those many *Tracts* passed about that *Controversy* from the Year 1673 to 1676, occasioned my thinking that thus have some *Writers* that would take it ill perhaps not to be thought legitimate, and true *Sons* of the *Church* of *England*, took too much pains to prove the *Birth* of its *Reformation* to be illegitimate, to the great *Applause* of the *Papists*, and that our *Reverend Historian* of it, did seasonably come in to Aid his *Mother Church*, by publishing the very *Records* that would secure her from a blush on that account, and leave that *Mauvaise honte* (as the *French* call it) to ~~her~~ ^{her} *Enemies*, and hath appear'd by his very laborious and judicious *Writings*, to be a Person as of very great *Abilities*, so of a great and frank inclination to employ them even to the *over-obliging* a *Country*, and which though naturally attended with envy from some mult too be with acknowledgements from others of that *Dignity* and *Authority* that his mind is possessed of, and such as *Valerius Maximus* speaking of as innate in *Famous Men* who have no *extrinsic Authority*, saith of it, *Quam rectè quis dixerit longum & beatum honorem esse sine honore.* And he who in the course of his *History* and his other *Works* hath appear'd so *Impartial* and

and Accurate in his Observations of Men and things, may very well be supposed not to have been partial in his comparison of Papists and Dissenters, nor do I think he receded from his usual close judging of things, when in one of his Books he said, *that it is not to be denied that it were better there were no Revealed Religion in the World, then that Mankind should by its influences be so vitiated as to become more barbarous and cruel then it would be, if Acted by no higher Principles than those are with which Nature inspires Men.*

I will not with our Learned and Reverend Judge, undertake to compute how many times Popery is worse then the Religion of the Romans: but this I will say that had I been in the Roman Senate and had there heard any one propound to them a removal of their minds out of that Coast of Religion which by the light of Nature lay open before them, into the Region of the Jesuites Morals, I would have said, *My Masters let us keep where we are:* and should have expected that the Reasons I would have urged for their so doing, would have had the effect of the good Omen that happen'd in that remarkable Crisis, when the Roman Senators were debating whether they should quit Rome or remove to Veij, and when a Souldier then coming on the Guard, and his Captain being heard to cry out to him, *Signifer signum statue, hic optimè manebimus,* occasioned their adhering to Rome.

I think that no Protestant who compares the Tenets of the Nonconformist Divines in King James's time with the Tenets of Popery, will prefer the latter before the former. But it is not deniable that before King James's time, and then and since many Puritans and Nonconformists have made great Schisms in the Church and disturbances in the State, and that especially in some particular Conjunctions. The great Epoche of 41 in England, and likewise in Ireland, will in our Histories preserve the Memory of the outrageous Principles of many Presbyterian Divines in the one Kingdom, and of Popish ones in the other: but if any shall be so partial to the Papists as either to justify their Commotion in Ireland, or to deny all part of the influence that Commotion had on ours here, he will find himself a vain imposer on the World.

A great inspector into our modern English Affairs, I mean the late Earl of Clarendon hath in his Animadversions on Cressy's Book against Dr. Stillingfleet said, *That nothing can be stranger then that Mr. Cressy should so magnify the general obedience of all Roman Catholicks, that none of them was ever in Rebellion against the King or his Father, when he knows very well and hath some marks of it, that the whole Irish Nation (very few Persons of Honour excepted) joyn'd in Rebellion against the King: but for that Rebellion neither Presbyterian, Independant, or Anabaptists had been able to have done any harm in England. For the Scots Rebellion was totally suppressed, and their Army disbanded before the Irish Rebellion begun. It was that which produced all the mischief that succeeded in England, and gave those Sects in Religion opportunity to bring in their Confusion to the destruction of Church and State, &c.*

But as to ^{some of} the Papists coming in for their share in the guilt of our Commotion here, we have the incontestable Authority of the Royal Martyr, who in one of his printed Declarations saith, *And we are confident that a greater number of that Religion (meaning the Popish) is in the Army of the Rebels then in our own,* and 'twas there before said, *All men know the great number of Papists which serve in their Army, Commanders and others.*

The Author of the Regal Apology printed in the Year 48, in p. 36, answereth that part of the Declaration of the House of Commons, that so unworthily reflects on his Majesty, as to offering a toleration to the Papists in Ireland,

Ireland, contrary to his former resolutions, which saith the Author, was on great and pressing necessity which hath no Law, and to that degree of necessity as the two Houses had driven him, so the Consequences were to be set on their Score not his own, yet even then in his Letters about that Affair published by themselves, he doth insist on it that the Bargain may be made as good as can be for him. But I have seen other Letters from one of his Secretaries to the Irish, which I am assured were true, wherein where these expressions after expostulation of their delays in his Assistance, He is inform'd that taking advantage of his low Condition, you insist on something in Religion more then formerly you were contented with. He hath therefore commanded me to let you know that were his Condition much lower, you shall never force him to any further Concessions to the prejudice of his Conscience and of the true Protestant Religion in which he is resolved to live, and for which he is ready to die; and that he will joyn with any Protestant Prince, nay with these Rebels themselves how odious soever (meaning his two Houses) rather then yield the least to you in this particular.

I should with extreme reluctance touch the Sores of these *Sects* who yet have both at several times given such deadly wounds to the peace of the Kingdom, but that they are Nufances to the publick quiet in raking up the odious Comparisons of one anothers practices, and that the Papists on the occasion of any of the worse sort of Protestants or Nonconformists being Convicted of Sedition or Treason (a thing that may be expected from the degeneracy of Humane Nature to happen oftener from some of a Religion of so great Numbers, then from a perswasion that has Comparatively but a *handful* of men for its Disciples, just as accordingly perhaps where one Papist is hanged for Clipping or Coyning twenty Protestants are so) are so apt to expect that the World should acquit the present Principles and former practices of that Sect from Disloyalty on their Out-cry that they are no Puritans or Presbyterians, and as ridiculously as if a false Coyner Arraigned for the Fact, should trouble the Court with a Plea and Noise, that he was no *House-breaker*, and but that on the detection of a Plot of Papists, several persons that have in their publick Capacities done many Acts of Hostility to the Interest of the Kingdom, yet entirely by being more busie *Anti-Papists* then others, have been immediately admitted to the good Graces of the People, and cried up by them as *Patriots* and *Hero's*, and by their afterward espousing the true Interest of the Kingdom as to the point of Popery, all their former *spurious* Actions have been not only *pardoned*, but almost according to the Canon Law legitimated; and as the Popes in any *Croissad* for the *Exterminium* of *Hereticks* were wont to give plenary *Indulgences* for all Sins past and to come for many years, so have the People heaped such Indulgences on such Persons that in any Conjunction shewed their zeal in the extermination of Popery.

And though to an ordinary view these mens Title to their Fame may appear by some of their former Actings much *incumbered*, yet who ever pryes into it is as much generally hated as are those *Projectors*, who rake for their Bread among the weak Titles of other Mens Estates, and cry out *ῥυπηρα* when they have found out a *flaw* there.

'Tis observable that S. James C. 2. in his Assertion of Justification by works, gives two Instances of Persons so justified, and that one is of *Abraham*, and the other of *Rahab the Harlot*, in v. 25. likewise also was not *Rahab the Harlot* justified by workt, when she had received the Messengers, and had sent them another way: and yet too that sending the Spies another way as the Fact is Historically mentioned in *Joshua* the 2d, would to some Scruplers seem unjustifiable. Thus do the People in their way justify all that

that they believe are assistful to them in the attacking of the Romish *Babylon*, and look on them as their *Saviours*, and as captious as they are against others, yet think of nothing but *saving them and all that they have*; as was in the case of *Rahab*.

Nor is it to be wonder'd at that Men who have so much to account for to the Public should be thus discharged by the populace, tho many of them are *Gallies* in Religion, and were no more concern'd for the Eclipse of Protestantism or the light of the Gospel in the year 1678. or 1680. then they were for the four Eclipses of the Luminaries, viz. two of the *Sun*, and two of the *Moon*, that will be in the year 1701. and particularly of that of the *Sun*, which will be in *January* then and not seen by us, but only by our *Antipodes*; but there is that adherent to Popery, that if it could rivet it self into our Law here, it would make the light of the *Sun* not worth the looking on, namely the *Confiscation* of the Goods and Estates of those that *Holy Church* calls *Heretics*, and the throwing them into such forlorn Prisons where they could see neither *Sun* or *Moon*: and therefore as the *Devils* those Seducers in Chains are hated by Men, because they know those Fiends would destroy their lives if they could; for the same reason all that lye open to the Name of *Heretics*, will be animated with a brisk hatred against Popery, and magnify those as their tutelar Angels that shall pretend to defend them from it; tho such did before conspire against them. But therefore because a Zeal against Popery is a remedy so cheap and so easie to be had, and yet so infallible a one against the Peoples being discontented with Men who did before so much by their Principles poison the Realm, 'tis the common interest of us all, both Protestants and Papists, out of love to our Country, to wish that no Men may be tempted so fatally to injure it hereafter, by being beforehand sure of purchasing both Pardon and Adoration, from the People on such easie terms.

The strong currents of *Inclination* I find in my self, and observe in others, not only to Pardon, but to extol and magnifie, nay to *bless* all Men that help their Country, as it is contesting with Popery or Presbytery, or either of those or any *Religion-trade*, and to say to them as the Expression is in the Psalms, *We bless you in the name of the Lord*, will I hope be accompany'd with such an *Extirpation* of it as will not leave any *Fibre* behind it in our *English* World.

As it need not be told to our *Divines* of the Church of *England*, that they are under no obligation to strain any point of Courtesie whereby to render the *Papists* generally not worse than *Puritans*, and that their Character hath been by the *Papists* all along render'd more vile than that of the *Puritans*, and that *Doleman* in his *Book of the Succession*, weighing the Parties in *England*, and having first spoke of the Protestants of the Church of *England*, afterward p. 242. saith, *That the Puritan party is more generally favour'd throughout the whole Realm, with all those which are not of the Roman Religion, then is the Protestant upon a certain general persuasion that the profession of the Puritan Party is the more perfect, especially in great Towns, where Preachers have made more impression in the Artificers and Burghesses, than in the Common People. And among the Protestants themselves, all those that are less interested in Ecclesiastical Livings, or other Preferments depending on the State, are more affected commonly to the Puritans, &c.* And p. 244. *The Puritan Party at home in England is thought to be most vigorous of any other; that is to say, most ardent, quick, bold, resolute, and to have a great part of the best Captains and Soldiers on their side, which is a point of no small moment; and that Weston, Lib. 3. de Trip. Hom. Offic. Cap. 16. p. 226. in a very janty manner, crying up the Puritans*

beyond the Protestants of the Church of *England*, saith *Protestantibus in re Sacra præstabiliores puritanos. Qui enim estis Protestantes, hominum iudicamini ignavissimi omnium, religionis etiam fuco destituti, impiissimi ærusters, parati jurare in cujusvis verba, modò inde emolumentum rebus vestris accrescat*, and in p. 227. *Puritani sane multò solidius ac syncerius sua dogmata profitentur*; So neither need it be told the *Papists* that the *Divines* of the Church of *England* did never prefer the *Tenets* of *Popery*, or Professors thereof to those of Puritanism or Presbytery *as such*, and that they never complain'd of the Protection the *Dutch* and *French* Churches have long here enjoy'd with Liberty to worship God according to their peculiar Rites and Church Discipline, and that upon the late great migration of many French Protestants from their own Country hither, under great Circumstances of want, our *Divines*, and particularly those in and near *London*, shew'd all the efforts of their Art of Persuasion from their *Pulpits* to move their Hearers to liberal Contributions to them, that they could have possibly done in the case of their own Countrymen or Kindred; and that one of those *Divines* in one of the greatest *Cures* there being for his Learning and Life and Endowments proper to his Function a great Ornament to the Gospel, when he with great Eloquence so pathetically bespoke the Relief of his Great Auditory for those poor *Hugonots*, did characterize them as such of whom none was ever suspected to have machinated any thing against their King's Person or Government, or to have attempted the burning of his *Metropolis*.

I have granted that the *Puritan* and the *Popish* Petitioners did both in the beginning of King *James* his Reign offend *Contra bonos mores*: but if any should ask me which *Sect* was the more peccant by such incivility, I will say that in one regard the *Puritans* were so, for that they were bred to the Knowledge of better things: but that in another regard the *Papists* most certainly were so, if *Thuanus* may be believ'd, who in the place I last cited out of him, relating to the *Gun-powder Plot*, (by which it appears that their Petitioning was but a stalking-horse, or as I may say, a *Trojan Horse* to hide and enclose armed Men) further shews, That the *Jesuites* in *England* employ'd one privately into *Spain* in the Name of the *Catholics* with Letters of Commendation to *Creswell* the *Jesuite* there residing, to negotiate with the Government there, to send an Army into *England* in the latter end of *Queen Elizabeth's* Reign, and that afterward one *Wright* was sent into *Spain* upon the same Errand, and that then likewise *Guy Faux* was by some of the *Jesuites* sent thither to *Creswell* to hasten the Design, and that *Faux* was instructed to take Care that it should be signify'd to the King of *Spain*, that the Condition of the *Roman Catholics* would be worse here under King *James* than it was under *Queen Elizabeth*, and that it might be effected that *Spinola* should then Land an Army in *Milford Haven*. And then saith the great Historian, they not being able to effect that, proceeded to the Plot of the *Gun-powder* Treason.

The *Popish* Petitioners then did essay how they might *flexere superos* and *Acheronta movere* at the same time.

But in truth, as in *Whale-fishing*, 'tis customary for Marriners apprehending Danger to the Vessel from the greatness of the *Whale*, to throw out an empty Barrel into the Sea, for the *Whale* to toss about on the Waters, and to receive some diversion from it, that while he is so diverted, they may the more securely wound him with their dead-doing Irons, thus did the *Papists* throw out their empty Petitions to that King only to divert and amuse him, that they might surprize him with the late they intended him.

Yet

Yet now if any one should put the Interrogatory to me, which Person I had the least Kindness for, namely, a Non-Conformist that favour'd the Doctrine of *Resistance*, or a Papist that believ'd the Grounds and School-Conclusions of the Doctrine of Popery, as King James's before-mention'd Expression was (and which *whoever did*, he said, *could neither be a good Christian or a faithful Subject*) I shall by way of Answer crave aid from a Judgment given by *Philip of Macedon*, who having heard the Merits of a Cause or Complaint that happen'd between two lewd Persons, gave the Decree, That *one of them should presently fly out of Macedon, and that the other should run after him as fast as he could.*

But against any Seditious Protestant, I would wish more severity exercised than against such a Papist: for the former doth not only rebel against his Prince as the latter; but doth according to *Job's* Expression, more *rebel against the light*: and is guilty of the *Simulata Sanctitas*, and so according to the Expression before mention'd out of the *Apocalypse*, *Reward her as she has rewarded you, and double unto her double, &c.* deserves to be doubly punish'd for his *duplex iniquitas*, and shall magnifie the Justice of the King's Ministers done to their Prince and Country, and to themselves, when in any Conjunction they shall find any call'd Protestants *turning Gods and the King's grace into wantonness*, and Religion into Rebellion, they shall level their most solicitous endeavors with all the sharpness of the Law against such nominal Protestants; for then the *salus populi* will engage them as the *Physicians* say, to mind the *Urgentius Symptoma*, and for which they have a Rule, that *Cum diversæ repugnantesq; inter se committuntur indicationes, parendum est omnino fortioribus.*

'Tis fit I should recompence the trouble I have given your Lordship by what I have said of this *Question* by diverting you with the News of another *Question*, that among some Company was lately bandy'd in Discourse here, between a Papist and a Non-Conformist (and 'twas a much more *termagant* Question than the former) namely, *Whether Popery or Mahometanism be the worst?* I was sorry to find the *Non-Conformist* to give his Judgment as he did in a gross and undistinguishing manner, that the *Impostures of Mahomet* were fitter to be embraced than several *Tenets* he named in Popery, which tho *erroneous*, yet are denominable as *Tenets of Religion*; but did for a while forbear giving my Opinion in the *Case* or relieving the Papist with any notion of mine, tho I found the *Non-Conformist* as somewhat the better Disputant pressing too hard on him, gave me occasion to have done it, than if I would.

I calling to mind how the *Papists* of old have so often decided it, that *Heretics* are worse than *Turks* or *Infidels*, and that they have ranked our Religion of the Church of *England* with *Atheism*, since I allow not of works of *super-erogation*, would not super-erogate in being too hasty in moderating in the Dispute.

Thus *Maldona'te* on *St. John*, saith, *Qui Catholici sunt Majore odio Calvinistas ceterosq; omnes Hæreticos prosequuntur quam Gentiles.* And thus *Stapleton* in his *Oration or Speech* against the *Politicians*, saith, *That the Heretics are worse than Turks.* And *Mason* in his *Vindiciæ Ecclesiæ Anglicanæ*, *Lib. I. Cap. I. p. 8.* cites *Gulielm. Reinold.* in his *Calv. Turcis* *l. I. c. 7.* and *l. 4. c. II.* for saying *Religionem nostram* (meaning that of the Church of *England*) *ipsâ Turcicâ esse deteriorem.* *Mason* further brings in *Bristo*, saying *Religionem nostram nullam esse ipsâ Experientiâ probari*: And cites another *Popish* Author for saying *Protestantes nullam habent fidem, nullam Spem, nullam Charitatem, nullam Pœnitentiam, nullam Justificationem, nullam Ecclesiam, nullum Altare, nullum Sacrificium, nullum Sacerdotium,*

Sacerdotium, nullam Religionem, Christum nullum, and quotes Cardinal Alan for saying, *Nostram liturgiam, sacramenta & Conciones istiusmodi esse, quæ sine dubio æternum afferunt exitium.*

The well meant pains of the Compilers of our *Liturgy* in inserting there some good Prayers out of the Mass, to render it more agreeable to the Papists, was it seems all lost; and that perhaps occasion'd that angry Exclamation of Mr. Cartwright of old, *That in Ceremonies we ought to comply with the Turk rather than the Pope.*

I acquainted the Discourfers that Mr. Fox in the *Edition of the Acts and Monuments* printed together in one Volume in London, in the Year 1596, doth Combat this mighty Question in p. 702, and in the following Pages, viz. *Whether the Turk or the Pope is the greater Antichrist,* and at last saith p. 710. *In comparing the Turk with the Pope if a Question be asked whether of them is the truer or greater Antichrist, it were easie to see and judge that the Turk is the more open and manifest Enemy against Christ and the Church. But if it be asked whether of them two hath been the more bloody and pernicious Adversary to Christ and his Members, or whether of them hath Consumed and Spilt more Christian Blood, he with Sword or this with Fire and Sword together, neither is it a light matter to discern, neither is it my part here to discuss, who do only write the History and Acts of them both.*

And I then telling the Nonconformist that the Jews for many obvious reasons did prefer the Doctrine of *Mahumetanisme* to that of *Popery*, some Papists beforemention'd had prefer'd it to Protestantism, and as he the Nonconformist had preferred it to Popery, he mention'd his fears that a sort of *Enthusiasts* among us called *Seekers*, might hereby be in great danger of stumbling on the Religion of *Mahumetanisme*, accordingly as of old when one went to demand of the *Philosophers* of the several *Sects*, which was the best of them, every one named his own *Sect* or *Party* in the first place, but all of them in the second place granted *Plato* to be the most eminent, that is the next best: whereupon those *Seekers* preferred *Plato*, because setting aside prejudicate Affection and Self-Love, *Plato's* Philosophy had thus carried the Garland.

I then took occasion to tell the Company that I thought 'twas extremely unjust to prefer *Mahumetanisme* with the many ridiculous and senseless things it comprehends to Christianity in Papists, blended with many erroneous *Tenets* which yet are capable of the name of Religion, and such as those great pious Papists beforementioned, viz. Father Paul, Thuanus, D'Offat, Erasmus, Peiresk perhaps own'd the belief of, as many thousands of others may still likewise do: but frankly interposed my opinion that I thought that *Popery* complicated with the real belief of the *Jesuites* Morals, and their vile *Casuistical Tenets* branded by the present Pope, was as unworthy of God and Humane Nature as any *Hypothesis* of Religion could be: and I as frankly told the Nonconformist whom I looked on as one who would not outrage the Law of the Land to advance the Gospel, that tho some erroneous points relating to Nonconformity, might without absurdity assume the name of Religion, yet among whomsoever those *Tenets* should be incorporated with the real belief and practice of the lawfulness of the Doctrine of Resistance, and of any persons Reforming the World by Arms without Warrant from the Municipal Laws so to do, yet such a Faith would be Faction, and such a Nominal Religion would be a real Rebellion, and much worse then *Mahumetanisme*.

I farther acquainted the Company that according to the discreet Motto of the House of Ormond, *Comme je trouve*, and the Mode of the Age to take the

the measures of knowledge by experiment, the usage that the better sort of Christians have found under *Turcisme* hath been by very many degrees milder then under Popery. *Erasmus* indeed was of a contrary opinion, for in his *Utilissima Consultatio de bello Turcis inferendo*, printed in the Year 1530, he saith that *Exaudiuntur interim & aliorum voces abominandæ qui jactant esse tolerabilius agere sub imperio Turcicorum, quam sub Christianis Principibus ac sub Pontifice Romano*, and there he goes on at large to prove the inconvenience of living under the *Turkish* Government: but the order of the *Jesuites* was not then invented, and after a hundred years observation since, Protestants have judged as they did in *Erasmus* his time.

And in a Popish Book called *the Right of the Prelate and the Prince*, I find *Luther, de sæcul. potest.* cited p. 55. for saying that the Turk is *decius probior, prudentiorq; nostris principibus*. And I think it may seem greater wisdom in him to sell such Heterodox People for slaves that he takes by force, than to burn them.

But in the Year before that Book of *Erasmus* was printed, I find in *Magerus* his *Advocatia Armata*, *Laurent. Surius in Comment. rer. in orbe gestar. ad annum 1529*, cited for the *Hungarians* throwing themselves on the protection of the Turk, rather then they would be deprived of their Right to chuse their King: and it seems under Popery in that Kingdom they had a greater kindness for the Turk then the Emperor of Germany.

And the great Observer *Thuanus* on the Year 1597 in his 3d Tome, discoursing how the Germans being under apprehensions of the Power of the Turk and of Spain at the same time, were thoughtfully weighing their danger, *Et Comparatione Alchorani cum inquisitione Hispaniensi factâ, an potius cum Orientali quam occidentali Turco sibi rem esse velint*, thereupon saith, *& si quidem res merito suo, ac semoto omni affectu privato aestimetur, haud dubium esse quin, optione data, orientalem eligant, quippe ut viribus præpollentem, sic victis tolerabiliorem futurum, &c.*

Dr. Heylin likewise seems to favour that opinion for in his *Geography* in Folio, he saith, *The Turks compel no man to abjure the faith in which he was born. I have heard many say that 'tis better for a man that would enjoy Liberty of Conscience, to live in the Countries professing Mahumetanism than Papistry.*

And I think I have read it in the *Author* of the *Zealanders Choice*, that if he were to lay the Scene of his life any where with respect chiefly to the freedom of owning any Religious Sentiments, it should be either in *Amsterdam* or *Constantinople*.

As I was reading the other day in an old *Canonists* Tractate of Heresy, I found this Position asserted there, that *'tis unlawful for a Master of Requests to deliver a Petition for Mercy to be shown to a Heretic*; but then I occasionally thought of a more manly and god-like temper shining in part of the *Alcoran*, as *Mr. Gregory* relates it in his *Opusc.* where he saith, *The Mahumetans have another Lords Prayer called by them, the Prayer of Jesus the Son of Mary, and that endeth thus, And let not such an one bear rule over me that will have no mercy on me, for thy mercies sake, O thou most merciful.*

He who separates Mercy from Justice, is unjust to the very name of Justice, and robbeth it of the better half of its signification, leaving its Teeth and Claws, and taking away its Heart and Bowels.

Jarchas the Indian and chief of the *Brachmans*, in *Philostratus*, is brought in finding fault with *Apollonius Tyaneus* and others of the Greeks, for that they confined and applied the word *δικαιοσύνη* to those only who do no wrong to

one another and telling them that they were in an error: for saith he among the chiefest Offices of Justice, *χρηστότης & ἀγαθότης* Bounty and Goodness, together with *φιλανθρωπία*, ought to be reckoned up. And *δίκαιοι & χρηστοί*, just and kind men are convertible terms in *Aristophanes*, and joyn'd both together in *Plutarch*; and *Aristotle* saith, *τὸ ἐπιεικὲς* Moderation or Clemency is *δίκαιον δίκαις πρὸς βέλτιον*, a piece of Justice better then all Justice. And if a man would not wish his Soul, yet he would his Body among Heathens of that temper, or *Mahumetans*, rather then such fiery *Canonists*.

There was one thing that I told the Gentleman, who was the *Papist*, in the Close of this Discourse that much surprized him, namely, that the two *Anti-Christ*s, the *Turk* and the *Pope* have sometimes held a good Correspondence together, and that the *Pope* has been a *Pensioner* to the *Turk*.

King *James* in his *Apology for the Oath of Allegiance* doth in p. 74 mention how *Alexander the 6th*, took of *Bajazet* two hundred thousand Crowns to kill his Brother *Gemen*, or as some call him *Sisimus* whom he held Captive at Rome, and how he accepted of his Conditions to poyson the Man and had his pay.

King *James* voucheth for the History of this Fact *Paul. Jovius*, and *Guicciardine*, and *Cuspinian*. It was a vile Ministry to the *Turk* that that pretended Vicar of *Christ* then engaged in. King *James* mentions not there how that Popes predecessor, *Innocent the 8th*, was likewise *Bajazets* Pensioner in the same detestable Affair: for 'twas in his time that *Sisimus* having rebell'd against his Brother and retired to *Rhodes*, was brought to that Pope to whom *Bajazet* sent the Title of our blessed Saviours Cross in *Hebrew*, *Greek* and *Latin*, as a present, and effectually obliged him to detain his Brother in Custody during his Pontificat: and that Pope had a yearly Pension of 40,000 Ducats from the *Turk* for the continuing his Brother a Prisoner; and it seems that *Charles the 8th* King of *France*, making War against Pope *Alexander* who was not able to resist him, the Pope was constrained to conclude a Peace, and one Condition was that he should set the *Turks* Brother at liberty. But then his Holiness being thereby to lose the said yearly Pension of 40,000 Ducats, received from the *Turk* the gracious offer of 20,0000 Crowns to cause *Geme* or *Zizimus* to be poysoned, and so he was. These faults are particularly set down in *Cyprian Valera* of the lives of the Popes, writ in *Spanish*, and translated into *English* by *John Golbourne*, and printed at *London*, Anno 1600, Pag. 130, 131, 136. and many other Popish Writers accord herewith, and particularly *Sabellicus*, Tome 2d, of his Works, *Ennead. 10. Book 9*, says that *Bajazet* promised that Pope, *Magnam auri vim si fratrem veneno tolleret*, and that *fecerunt qui crederent eum veneno sublatum, fuisseq; Alexandrum pontificem ejus consilii non ignarum*, p. 781. ib. King *James* in p. 74. of that *Apology* mentions another of *Christ*s Vicars, namely, *Alexander the 3d*, that writ to the *Soldan*, that if he would live quietly he should by some slight, murther the *Emperor*, and to that end sent him the *Emperors* Picture.

That *Emperor*, King *James*, says was *Frederick Barbarossa*: and it seems to have been extraordinary ill nature, in that Pope *Alexander* after he had not without ridiculing that piece of Scripture, *Conculcabis Leonem & draconem*, trampled on that *Emperors* neck, to write to the *Pope* to cut his Throat.

And that the *Greek Church* refusing to submit to the *Pope* was betrayed by him, to the *Turk* is a thing enough known, as it likewise is that the *Pope* has often effected it, that Arms raised in *Christendom* against the *Turk*, should be employed against *Heretics*. I believe there is none thinks that

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the Pope by all the Treasures that the Souls or Sins of any Christians yield him, could have hired the *Turk*, so far to have degenerated from Natural Conscience as to practice any base Art of killing the body of any of his Vassals, contrary to the Law of his *Prophet* or of the *Empire*: and I account nothing more ridiculous than to believe, that the Grand *Seignior* doth employ for his Spies in the *Europæan* World, a wretched sort of Mankind that appear within the Class of Monsters, and are call'd by the *Italian* and *German* Writers of Politics *Cingari* and by the *Spanish* *Hittani*, and the *French* *Egyptii*, and by our People *Gyphes*, and who are foolishly imagined by any to have come from *Egypt*, and more foolishly by *Reinkingk de Regim. Sæcul. & Eccles. lib. 2. class. 1. cap. 7. n. 10.* and the generality of the Grave Political Authors to be *exploratores & proditores qui Germanorum consilia & negotia Turcis produnt*, and he saith further, *nulla in imperio securitate gaudent, sed impune à quovis offendi possunt.*

Magerus de Advocatiâ armata, p. 299. saith of them, *Nihil aliud sunt quam manipulus furum & colluvies pessima otiosorum & fraudulentorum hominum ex variis nationibus non ita remotis, sed vicinis collecta, qui extra civitates in agris, in triviis tentoria erigentes, prodicionibus, latrociniiis & furtis, deceptionibus & permutationibus, atq; ex chiromanticâ oblectantes homines, iis fraudibus victum mendicant*: but renders them no Commissaries or Spies for the Grand *Seignior*, or Correspondents with his *Visier*, and saith, that *Nonnullorum magistratuum animos vana superstitio velut lethargia adeo invaserit, ut hoc hominum genus violare nefas putent, eosq; grassari & furari & subditis imponere passim impune sinunt.* And if not only Magistrates but private persons too spare them (for according to *Reinkingk* every man is a Magistrate against them) 'tis an *Indicium* that they are but inconsiderable Extravagants in the World: and 'tis therefore I think pity that our Learned Country-man *Brown* in his *vulgar errors*, where he shews the error of their being thought to come from *Egypt*, doth yet represent them as *Spies employed by the Grand Seignior*.

I shall here observe to your Lordship one thing that occurred to me not without sharp regret, and that is, that I read lately in the Works of *Crackanthorp*, one of the most learned men in *Oxford* in his time, and a most faithful Citer of Authors, the famous *Hosius* of the Church of *Rome* cited for a more intolerable Blasphemy against the holy *Jesus*, then any I remember in the *Alcoran*.

Crackanthorp arming his *Logick* against the errors of Popery doth in his Chapter, *De loco arguendi ab authoritate*, say, that, *ipsi primarii sacerdotes quos maximè ab errore immunes fecit Mosi Cathedra & promissio illa Dei (Math. 26. 65.) Ipsi indicabunt tibi judicii veritatem, illi inquam Christum blasphemasse, & reum mortis esse judicarunt. Pudeat vos Hosii vestri, cujus hæc sunt verba (Hos. lib. 2. Con. Brent. fol. 54.) Veritas indicii hic judicata, vera sententia hic pronuntiata fuit. Quænam illa? Reus est mortis. Hanc sententiam à spiritu sancto profectam esse non est dubium. O hominem sacrilegum & blasphemum! Ille ne Reus mortis, qui innocens & innoxius vitam dedit?*

But as inhumane as any Principles of *Papists* or *Mahumetans*, or any *Enthusiasts*, or as desperate as the very *Jesuites* beforementioned ones are supposeable to be, and as much as any of Mankind can strive to delude others by Implicit Faith, yet as it is in no mans power presently to believe what even his own, and much less what his Guides appetite would have him, notwithstanding any Ecclesiastical Association he may have professedly linked his Faith in; so no man can ensure the continuance of his Belief, or its holding for a Moment: and therefore the more absurd and inhumane

mane any mens *Tenets* are, I shall expect them to be the less believed, and for the less time, and it is more then Holy Church can know that any one at all believes as it believes, how great soever the number that pretends so to do, appears.

Of all Papists not professing themselves bound to withdraw their Allegiance from Heretical Princes, and even from such as by a particular *Bull* were Excommunicated by the Pope, History affords many Examples, and particularly of the many *Loyal* Papists, who when the inheritable Right of the Crown of *France* was devolved on the King of *Navarre*, a Protestant, and as such Excommunicated, with their Lives and Fortunes asserted his Title to the Crown. Any of the Readers of *Thuanus* know that in *Book 93* 'tis related, how when many Papists would have debarred him from the *Succession*, and that the minds of those *qui in Castris erant*, were in that point variously affected, yet *Major & sanior pars sic existimabat nullam publicæ salutis spem superesse, nisi servato legitimæ successionis ordine*, and so were for *Harry* the 4ths Right therein, and whom they believed was late reconciled to the King his Predecessor for that he did *per eum res administrare* as the *Historian's* words are, i. e. *Harry* the 4th a Protestant Successor, was *Primier Ministre* to *Harry* the 3^d a Papist.

And not only the Major part and the sober Party of the Popish Souldiery, (i. e. in *Thuanus* his words *sanior pars*) was loyally addicted to the Right of the Protestant Successor, but several of the *Grande*s of the Popish Clergy were so, and particularly the *Arch-Bishop*, whose Speech for that purpose *Thuanus* *Book 106.* sets down, wherein 'tis said, *Neque verò aut Regis personam, aut subditorum robur debilitatemque heic considerandum esse, quando Reges lege ad regnum vocantur. Neque exemplis doceri posse quicquid contrajactetur, in priscâ lege populum Israeliticum ob Religionem regibus suis defecisse, &c. sed totum id Deo dijudicandum reliquisse, in cujus manibus regum corda sunt, quæ & ille pro arbitrio quo vult, inclinât. Quid in Christianâ Ecclesiâ? Nonne Christum generis humani redemptorem ejusq; beatissimam matrem nomina sua apud censum, Augusto imperante, Gentilium sacris addicto professos esse? Nonne Cæsari suo & Petri nomine tributum pependisse? Quod verò de legibus civilibus & imperialibus constitut. offertur quibus Manichæi & Arriani à dignitatibus, magistratuum ac publicorum munerum participatione excluduntur, id intelligi de magistratibus inferioribus, non de principalibus, qui nisi cum excidio populorum & Reip. everfione jure suo privari non possunt, de quibus decernere ad solius Dei Omnipotentis Jurisdictionem pertinet.* The whole Speech is argumentative to that purpose out of the old and new Testament and Fathers, &c. and that Noble Loyalty of those Papists to a Protestant Successor met with a requital as to their Religion, and thereby I may say in the *Scripture* expression that they did at once heap both a Crown and Coals of Fire upon his head.

Any one may be rather apt to think me less sanguine (as I may say) in my belief of *Shame's* operating more and more among both Lay and Clerical *Roman* Catholics, and even among our Jesuited Protestants (I mean many of our Non-Conformists that have had sanguinary and disloyal Principles transfused into them by Jesuites,) to the making them out of love with such Principles, when he shall consider how the ingenious *Maimbourg* doth in the 6th *Book* of his *History of Calvinisme* reflect on the great *Calvin* for his opinion and practice relating to the punishment of Heretics with death, and instance in the Case of *Servetus* who was burn'd by the Magistrates of *Geneva* as an Heretick, on *Calvin's* instigating them so to deal with him, as *Maimbourg* tells us, and concludes his *Historical Account* of the *Parisian Massacre*, with the mention of the said opinion and practice

practice of Calvin, and doth with great Judgment and Candour thus observe, viz. *On a veu neanmoins de tout temps que le moyen le plus efficace quand l'heresie est deja puissamment etablie, n'estoient point les supplices, beaucoup moins la violence & le trop de Rigueur. Bien loin que le massacre qu'on fit a Paris & tant d'autres villes ait aneanti, ou du moins affoibli le Calvinisme, qu'au contraire il en devint plus enraciné, plus puissant & plus formidable, qu'au paravant. Les Huguenots ne voulurent plus se fier aux declarations que l'on fit pour les rassurer, &c.*

Alsted in his *Chronology of Heresy* tells us that *Michael Servetus Hispanus docuit nullam esse in Deo realem generationem aut distinctionem*: and Calvin in his *Opuscula* saith of *Servetus*, *vel sola modestia potuisset vitam redimere*: but I believe the World will grow more modest then to burn men for immodesty: and 'tis most certain that as the World grows the nearer to its Period and growing more and more populous, that populousness will naturally tend to unite all Countries at home by preparing them to resist Invasion from abroad, and make the fantastical squandering away the Members of the Common-wealth more and more ridiculous and insensibly to grow out of fashion.

Thus 'twas with the increase of the People among the Jews and Turks, that the *Sicacious* Zealots among the former, and *Dervices* among the latter did gradually decrease, and at last insensibly grew obsolete.

And thus of old did *Draco's* Laws evaporate, *Aulus Gellius* tells us in his *Noctes Atticæ*, that *Draco Atheniensis vir bonus multaque esse prudentia existimatus est: jurisque divini & humani peritus fuit. Is Draco leges quibus Athenienses uterentur primus omnium tulit. In illis legibus furem cujuscunque modi furti supplicio capitis puniendum esse, & alia pleraque nimis severe censuit, sanxitque. Ejus igitur leges quoniam videbantur impendio acerbiores, non decreto jussuque, sed tacito illeteratoque Atheniensium consensu oblitteratæ sunt.* And this I believe would have been the fate of the *ficarious Morality* of the Jesuites although this present Pope had not exposed their Principles as he has done, and their *Consecrastis manus Jehovæ* be obsolete, how much soever many of them think to out-brave the Popes Decree, who I wonder that they are not so hardy to write to the Pope to revoke it, in the contemptuous Style of *Morbizan the Turk*, that when *Pius the 2d* published a *Bull* wherein he granted Indulgences to all them that would bear Arms against him, writ a Letter to his Holyness willing and requiring him to call in his *Epigramms* again, (as *Dr. Donne* relates it, citing the *Historiæ & alia impressa ante Alcoran. f. 99.*) and in the Style of *Casaubon* calling *Paul* the 5th Excommunication against the *Venetians*, *dirum carmen*, a cruel Lampoon.

Dr. Peter du Moulin in a Discourse of his, printed in the Year 1675. saith, that the Jesuites were then i. e. in the time of the late Usurpation, and are now the principal directors of the Consciences of the English Papists. And there was published in the Year 1662, a Pamphlet writ by a Person of no vulgar understanding, and who I suppose was a Papist, and the Title of it was *an expedient or a sure and easie way of reducing all Dissenters &c.* wherein the Author saith, of the Papists (meaning in England and Wales) there are 7 Parts of 10, Gentlemen and People of great Quality: and therefore since the Jesuites have formerly made the Pope infallible in his judgment of matter of Fact, and that the Pope hath thus *de facto* thrown that turpitude of their Principles (that one may call *lutum sanguine mace-ratum*) from his Court and even from that of the Roman Inquisition, and the *Sordes* whereof Gentlemen could never receive into the Cabinets of their mind without fear and shame, they must now either be ashamed of

their Jesuitical Guides, or of their Pope, and the more irgenious and modest sort of Jesuites will by natural instinct be more and more ashamed of such Principles, and be sometimes pale with fear, and sometimes red with the Die of Blushes, as they observe the World picqued with their Dishonour pronounce against them as the Pope their infallible *Censor* hath done, and the Jesuites see that the Principles are too hot for them to touch where there is an Inquisition and too foul where there is none.

According to that great Moral Observation of *Tertullian's*, *Omne malum aut timore aut pudore natura perfudit*, all the fair-killing Principles of the Jesuites and particularly those refer'd to in the 13th, 14th, 15th, 30th, 32d Tenets in the *Pope's Decree*, must really appear foul, and as too foul play to be used in our populous *English World*.

Time was in the old Monastic days when the Popish Clerical Actors were so numerous on the Stage of the World and so rich, and the Spectators so few and so poor, that it was dangerous for these to hiss at them or not to applaud them, but 'tis now otherwise, and the Scene of Time is altered.

The Tables are turned since the Author of a Popish Book called, *The Right and Jurisdiction of the Prelate and the Prince*, imprinted with licence of Superiors, Anno Dom. 1617 was so hardy as in Chap. 15th, p. 269. having spoke of the Oath of Allegiance, to say, *The King after this Oath is no more secure than before, because the Catholicks who take this Oath against their Conscience, know that they are not bound to keep their Oath. Tea the Prince thereby bringeth himself into greater danger, for by so unwonted and odious an Oath so contrary to his Subjects Consciences, he cannot but make himself odious, and there having insinuated the great numbers of the Papists, to apply then very gravely to his Prince that saying of Cicero in his Offices, Multorum odiis nullæ opes, nullæ vires resistere queunt: and that Author further tells us out of Tully, quem metuunt oderunt. Men hate whom they fear: and then doth like a grave Animal thus proceed very honestly telling us, And what security hath a Prince among them that hate him? when Subjects hate their Prince, they are discontented; when they are discontented they are desperate; when they are desperate, they care not for their own lives; when they care not for their own lives, let then the Prince fear his; for as Seneca saith, Qui suam vitam contemnit, tuæ dominus erit. He that contemneth his own life will be Master of thine. And from this Source proceeded the late Gun-powder Plot.*

But I believe not only fear but shame would divert Papists from writing at this rate at this time of day: and I look on it as either a Sham or insatuation in a Protestant writer, who in a Pamphlet whose haughty Title was *the Humble Remonstrance and Petition of English Protestants against English and Irish Papists, to the Right Honourable the Lords and Commons Assembled in Parliament*, and which was published not long after the discovery of the Popish Plot, when in p. 2. the Author saith of the Papists and the Plot, *Nor will the more impudent of them deny the thing in general, but much the contrary insulting to us with Tertullian's implevimus omnia against the old Pagans. We fill your Courts, your Armies, your Navies: it must take, you cannot avoid it, 'tis a just cause to extirpate Heresy root and branch.*

I believe there were no Papists so void of shame and sense as to speak then what this Author mentions.

The Bishop of Winchester in his Letter to the Dutchess, January the 24th, 1670. and since printed, speaking of those, who were averse from Popery or afraid of it, saith that, *their number did take in 99 parts of 100 in the whole Nation.* His Lordship was a very modest Calculator in making the number

ber of those who then *de facto* feared Popery to be no larger: and consequently according to the Rule of *quem metuunt aderunt*, referred to by the Author of the *Prelate and the Prince*, the great number of those here who *hated* Popery was very visible, and made the *implevimus omnia* to be a very empty and ridiculous suggestion. But were the number of Papists much greater than any timid Protestants seem to make it, the great real encrease of Mankind, and mens being thereby preserved, must render the *turpitude* of the former Principles of Cruelty to be very shameful.

In the Style of the Heathen Morality 'twas usual to call any thing *turpe* that was not *honestum*, or honourable, or contrary to the generous nature of man, and therefore to brand with the name of *turpitude* many lawful Actions, for *Non omne quod licet honestum*: and thus what is unworthy of a Man or a Christian to do is often so called in the New Testament, and 'tis an error in any mens judgments or fancies to appropriate so much the meaning of that word to fleshly Lusts. The Devil is called an *unclean Spirit* in the *New Testament* though not supposeable to use bodily Lusts or to confine his temptations to them. The *filthiness of sin* is mentioned by St. Paul to Timothy, and St. James 1. 21. commands *the laying aside all filthiness*, &c.

A Sentence obtain'd from a Judge that was given by Bribery is said to be *lata per sordes*, and for the *turpitude* of such a judgment a Judge was long since brought to a shameful end in this Realm, and in his Enditement for Bribery 'twas said that he did *violare sacramentum Domini Regis*, and the reason thereof was, that the Oath of our Kings relating to the doing of Justice to their People, such corrupt Judges did by their injustice do violence to that *Oath* of our Monarchs: and in like manner all Kings generally being by their Coronation Oaths bound to protect and defend their People, I ask what King on earth can do it, if either an outrageous Pope or the General of the Jesuites shall secretly cause men to be killed by their Emissaries, and what Subject can any were enjoy the benefit of the *Tacit Paction* between him and the Law to the effect of *fac hoc & vires*, if he must hold his life by the Tenure of a Jesuites Caprice?

This Orders sycarious Principles must therefore be naturally as fatal to it as those of their *Calumny* beforementioned, and indeed this their affected Arbitrary Power over Hereticks lives is liable to the Battery of fear and shame from the other Papists; for if such believing the Justice of the Pope's Decree, shall speak ill of the *Jesuites* Contumacy, and on that account render that Society disobedient to Holy Church and scandalous to the same, will not *Tenet* the 30th condemned by the Pope, viz. *It is lawful for a Person of Honour to kill a man that intends to calumniate him if there is no other way to avoid that Reproach*, render the lives of such Papists forfeitable to the Jesuites Assassins: and again will it not render the Jesuites lives forfeitable by their own Principles to such Papists, and thus our Popish Layety and the *Jesuites* be in a State of War, instead of such Layety being amicable Disciples and bountiful Patrons to them?

Neither the Law of God or the Land do trust the punishment of Malefactors to private persons: but as *Tolosanus de Repub.* tells us, l. 13. c. 132. *Processum fuit judicialiter & sententiâ excommunicationis contra vermes radices segetum edentes in diocesi Curienti & constantiensi*, (and he there sets down such a Sentence of Excommunication pronounced against those *animalcula*) so much more ought such *Locusts* tho now as to the Pope *they have no King*, (I allude to Solomon's words, *The Locusts have no Kings, yet go they forth in Bands*) and tho their Principles would eradicate the Lives of our Hereditary Kings and their Subjects to have the legal benefit of Judicial Proceedings; but

but the turpitude of such Principles and Practices as pollutes the Land with Blood, and may bring a Curse upon it, is likely to bring them many an extrajudicial Curse from the Popish and Protestant Populace; and if as *Tully* tells us in his *Offices*, that *there was a Law at Athens, that ordered publick Execrations against all that did, viam erranti non monstrare*, such Confessors as by insinuations put people out of the right way by vile irreligious casuistical Principles so fatal to Souls and Bodies, must naturally be anathematized by them.

Thus likewise by *shame* and *fear* in our populous *English* World must all Bloody and Rebellious Principles own'd by any Persons that assume the the name of Protestants be naturally hated: and if any are not ashamed or afraid to give just occasion of Jealousie concerning such Hostile Principles, being secretly harboured in their minds, others will be ashamed and afraid to keep them Company, and as if there were some speedy Judgment impending on those who conversed with them, according to that Proverb of the Jews, *Migrandum est ex eo loco in quo Rex non timetur*.

The last prefatory Paragraph before the Bishops Survey is, that *the Heads and Preachers of the several Factions are such as had a great share in the late Rebellion*.

Such men tho like the *Trumpeter* in *Alciat*, they made part of the fighters, and had been fairly dealt with by the *Amnesty* if they had not been permitted any more in their profession to have *lifted up their voices like Trumpets* again, or trusted to make any harangues to the People in publick, yet at the time of that Survey were very few, and are now generally as silent in the Region of the Dead as *Meroz* was when they curs'd him; and themselves are according to my Calculating Observation turn'd to Earth, whose Voices like Air in the wrong place made such Earthquakes in Church and State: and both fear and shame might teach them how *in bello non bis peccare*, if their being *Experts* of the inconveniences of War had not naturally excited in many an aversion to it; but with the surviving Experts there doth undoubtedly a *reminiscentia* (which *Mr. Hobbs* calls a *re-conning*) survive, how that the long Parliament had not formerly more fears and jealousies of Popery then of Presbytery, and of some of the *Divines* of that perswasion designing to trouble every Parish with a *New Court-Christian*, after the tremendous example in *History* of the *Inquisition for Heretical Pravity* being first committed to the Orders of the *Dominican* and *Franciscan* Fryars, and without any *Tribunal*, and which by their zeal in preaching they afterward obtain'd with a vengeance, and to the Scandal of Humane Nature; and how that that Parliament as *Fuller* observes in his *Church-History*, would not trust the Presbyters to carry the Keys of Excommunication at their Girdle, so that the Power thereof was not intrusted to them, but ultimately resolved into a Committee of eminent Persons of Parliament, in which *Thomas Earl of Arundel* was first named; and moreover how that *England* was then turned into such a common shore of Heretical Opinions that one of the most Learned of the Presbyterian *Divines*, *Mr. James Cranford* in a Sermon of his called *Hæreseo-machria* preached before the Lord Mayor and Aldermen at *S. Pauls* on February the 1st, 1645. and printed in the following Year, saith there in p. 47. *In eighty years there did not arise among us so many horrid opinions and blasphemous Heresies under Episcopacy (a Government decryed as Antichristian) as have risen in these few years since we have been without a Government*.

He had before in p. 5. said, *It is lamentable what success errors have had among our selves in these last 3 or 4 years of Ecclesiastical Anarchy and Confusion, whether we respect the numbers of Errors or of the erroneous*. Amsterdam,
Poland,

Poland, Transylvania, Places most infamous for Heresies, are now righteous if compared with England, London, which in so short a space have broach'd or entertain'd above 160 Errors, many of them damnable.

And therefore I do not wonder that in a Pamphlet called, *The exact Collection of the Debates in the House of Commons* in the last Parliament, one Member is there brought in, observing in his Speech concerning the Dissenters, that 'tis not probable that ever they will have a King of their opinion, nor yet a Parliament by the best discoveries they had made of their strength at the last Election. For according to the best Calculations that I can make, they could not bring in above 1. in 20.

The present Gentlemanly Temper appearing in the People of England, as to the not having Aversion or Resentments of Anger against any Mens persons or their Converse by reason of their asserting controvertible points that are capable of the name of Religion, must naturally make any ashamed to vex their patience and disturb their security by asserting Principles that really are *Irreligion*.

If any one did rake in the dust of Libraries for Names of absolute Heresies to render the Papists or any else the fouler thereby, he would in effect but needlessly foul his own fingers; as for example, if any one should say the Papists have borrowed their Practice of extreme Unction from the *Valentinians* and *Heracleonites*, their Notion of the Orders and Quires of Angels from the *Archonticks*, the use and worshipping of Images from the *Carpocratians*, the praying to the *Virgin-Mary* from the *Colliridians*, the Veneration of the Cross from the *Armenians*, the Baptism by Women from *Marcion*, the Baptizing in an unknown Tongue from the *Marcosians*, and the voluntary Poverty and single Life of Priests from the *Apostolici*, the using of small Bells in Celebrating the Mysteries of Religion from the *Meletians*. Nor would any be much concern'd whether any old or new unheard of Hereticks communicated the Disease of these Notions to the weak minds of the erring, since it doth not infect Humane Society.

And there are several Traditions mentioned in some of the Ancient Fathers as Apostolical, which tho the Papists do not observe, yet the World would not make any angry Exclamations against them if it heard they did, as namely, the mixture of Milk and Honey given to them that are newly Baptized, the abstaining from washing a whole Week after, Oblations for the Birthday yearly, not to fast or kneel in Prayer or worshipping of God on the Lords Day, nor between *Easter* and *Whitsuntide*, all which are mentioned in *Tertullian*. Nor would any be now angry with another that held either part of the Question, viz. If the *Hallelujah* may be sung in *Lent*?

The great Controversy about *Easter* that heretofore put all the World in a Rattle, and almost shook it to pieces, what a Toy is it self now reputed, insomuch that our latest Ascertainers here of the time of its Celebration seemed not to think it *tanti* to be awake when they were about it; and tho our lately having in our Almanacks two *Easters* in one year easily awakened the Non-Conformists, to take notice of it and to say, that therefore they could not give their unfeigned assent and consent to all and every thing contained and prescribed in and by the Book intituled the Book of Common Prayer, &c. And tho thereupon a person of the *Royal Society* very profoundly knowing in all the Mathematical Sciences, and likewise in the knowledge of Theology and of the Canon Law, and the Ecclesiastical Law of England, hath published an infallible way of fixing *Easter* for ever (and that it may be no longer a Fugitive from the Rule of its Practice as it

Often is at present (nor dance away from it self, as I may say, in allusion to the vulgar error of the Suns *dancing on Easter day*) and fixing it so as perhaps none else could have done, nor possibly himself any other way; yet hath this great right done to that great day been by the generality of people not so much regarded as would an *Advice to a Painter*, or such like *Composure* have been.

Any one that would design to make another fermentation in the World by the terms of *Homo-ousios* and *Homoi-ousios* would no more effect it, than by the Criticks Controversy in *Boccaline*, whether *Consumptum* should be spelled with a p or no: to which purpose I heard one cite it out of *Luther*, that he said *anima mea odit terminum istum Homo-ousion*, tho yet he knew *Homo-ousios* was the right opinion and *Homoi-ousios* the wrong.

And that one word *Heresy* that hath produced such furious Tempests in the World that have torn up States and Kingdoms by the Roots, how is it now generally among men of ingenuity and wit here reduced to its quiet and primitive signification, viz. the taking of an opinion, or a private opinion without reference to truth or falshood, and to import nothing more of affront then when used by *Tully*, as *Non sum in eadem tecum hæresi*; *I am not of your opinion*: and the common Vogue of *Heretics* amounts to *opiniâtre*, and *Heresy* to *opiniâtrerie*: and as a Whirl-wind may be supposed to have blown some one thing into its place, as each other thing out of it, so have the Whirl-winds *Heresy* hath disturbed the World by, happened at last to blow its signification into its right and original State.

Our Courts Christian which in order to the *Salus animæ* might still prosecute Men for *Heresy*, as well as *Usury*, have given no *Heretics* or *Usurers*, any Cause of Complaint for molestation; tho yet in the Articles of *Visitation* this is one, *is there any person a known or reputed Heretick or Schismatick*. But as in the Dioceses in the Country and even in the Cities there, the Church-wardens having not troubled themselves to know what *Animal* a *Heretick* is, so neither is our Layety in our Metropolis in the humour to mind the *Genus* and *Differentia* in the definition of a *Heretick*. Nor will they be ever likely to make any such Presentment as *Mr. Nath. Bacon* said in one of his printed *Discourses*, he hath seen, made formerly by some of *St. Mary Overies*, *Item we saine that John Stephens is a man we cannot well tell what to make of him, and that he hath Books we know not what they are*.

Our *English Genius* is so improved by the excellent temper and discourses of that breed of rational *Divines* our Church of *England* hath been blest with since the King's Restoration, that it generally abhors the thoughts of punishing a *Heretick* as such with death, as a severity that hath in it the turpitude of injustice and cruelty. And since the very Fathers and Schoolmen could never agree about the point who are formally *Hereticks* and that the acutest among them make the formality of *Heresy* to consist in *Pertinacy* or *Contumacy*, which are inward Acts of the Mind and which none but the *Scrutator renum* can know, it may well seem shameful for any to agree in punishing it with death.

What a shameful narrowness of mind was there in the *Divines* that governed our Church in the times of the late *Usurpation*, when those *Triers of Ministers* would allow none to have a Living or Cure of Souls that asserted the Tenets of *Arminius* in Religion, which yet carry a face of so much probability to be maintained, that a man who having used his utmost care in the investigation of truth therein asserts them, may claim it as his due by the purchase of Christs Blood, that when he is required to deliver his opinion about the same, his asserting it that way should not expose

pose him to punishment. And there is no Controverted Religious Speculative Point of that Nature wherein there is among Learned Men *probabilis causa litigandi* (and in some Cases too where it may touch too close upon our *Articles* and *Homilies*) in which liberty of differing in Judgment is here either prejudicial to their Interest or common Esteem. Thus tho all the *Reformed Churches* make the Pope to be *Antichrist*, and particularly our Church of *England* in its *Homilies* hath done so, our Famous Dr. *Hammond* adventured as he thought himself obliged in Conscience to publish it, that *Simon Magus* was the man.

The most judicious Comparers of times are sensible that there is now a more valuable *libera theologia* in *England* then was during the Usurpation. How glad would many of the Independent, and Presbyterian Divines then have been of the liberty to have taught their Flocks the Notions they then thought of importance as to the Divine Decrees, tho they had been allowed to have so done only in *Surplices*, or in Vests of *Indian* feathers, or any habits imaginable? The old way of arguing about speculative points in Religion with passion and loudness and being tedious therein, is grown out of use, and a Gentlemanly Candour in discourse of the same with that moderate temper that men use in debating natural Experiments has succeeded in its room, and 'tis accounted *Pedantry* for any one in good Company to pass for a *Victor* in Notions by having the last word, and seeming a *Baffler* in dispute. And the truth is, our *Divines* and the Lay *Literati* having since the King's Restoration been more addicted to the Study of real Learning then formerly, which requires quiet of thought in its pursuit, hath brought noise out of Request.

I need not again mention the Obligation our Land hath received from the *Royal Society*, in making so great a Plantation of real knowledge in it. 'Twas high time at last when the Kingdom was settled on its proper *Basis* to improve it with such strong and nervous knowledge, that would be like the *strong man* keeping *Possession* in mens understandings, during which either *Poperies* or *Presbyteries Kingdom of Darkness* cannot overthrow our *Quiet*.

There were in the Year 1599. reckoned in *Christendom* 2,25044 *Monasteries*, and from whence all the great Revenue there bestowed on men to *think*, sent not perhaps one Notion of real Learning into the World. But their professed business, ^{mostly} was to extinguish the light of Knowledge, and not to increase it, and that which they made their real Study was to find out Artifices to make Mankind sit still and quiet in the dark, and to invent torments and punishments for those that would not do so: and to *ridicule* those who pryed into nature and but looked toward *Arithmetick* and *Geometry*, by the Name of *Students* of the *black Art* and *Conjurers*, a humour that was not quite exterminated hence from the time of *Fryer Bacon* to my Lord *Bacon*: for our pious *Martyrologer* mentioning occasionally Dr. *Dee* the Mathematician, called him Dr. *Dee* the Conjuror.

Thus Almighty God tho the first thing he made for the World in general was external light, yet one of the last things he hath made or so much blessed the World with, is real Learnings intellectual Light, and even that whereby we so knowingly converse with his works of Nature: and so careless was Mankind in considering the frame of their own bodies, that Dr. *Henshaw* a late Ornament of the *Royal Society* hath truly observed it in his Book of *Fermentation*, That within the Compass of this last Century the knowledge of *Anatomy* hath been enriched by a full third part at least. Mankind was so busie in murdering one anothers bodies of old under the Notion of *Christians*, and afterward as *Hereticks*, that it had no leisure to dissect them,

them, and was wholly taken up by studying experiments of Cruelty equal to the making of live Anatomies of each other. And tho the Holy *Jesus* came into the World *not to destroy mens lives but to save them*, and for that purpose tho the Divine *Philanthropy* chose that time for his coming into the World when the *ἀνθρωποδυσία* was arrived at a greater heighth then ever before, yet by the depraved nature of man perverting and corrupting the use of Religion, the fantastick vile sacrificing of men hath since encreased.

In the *Infanticidium* of *Herod's* that was presently after the Birth of the *Holy Child Jesus*, *Samuel Siderocrates* saith, that there were slain of Infants of 2 years old and under that Age, 444000: and *Paulus Volzius* makes them to be a *Million* and 44 *Thousand*.

And afterward among the Heathens, he was accounted the *Magnus Apollo*, not who could find ways of saving, but destroying Christian men. No fewer than seven Books were writ by *Ulpian* to shew the several punishments that ought to be inflicted on Christians. And tho *Livy* saith of the *Romans*, *in hoc gloriari licet nulli gentium mitiores placuisse pœnas*, yet *Tacitus* tells us of the Christians in the 15th Book of his *Annals*, *Primo correpti qui fatebantur, deinde indicio eorum multitudo ingens baud perinde in crimine incendii, quam odio humani generis convicti sunt. Ea pereuntibus addita ludibria, aut ferarum tergis contecti, laniatu canum interirent, aut crucibus affixi aut flammandi, aut ubi defecisset dies in usum nocturni luminis urerentur.*

Several Authors relate it as a Decree of *Nero's*, *Quisquis Christianum se esse confitetur, is tanquam generis humani convictus hostis, sine ulteriori sui defensione, capite plectitor.*

Enough hath been already said to parallel the Cruelty of new *Rome*, with that of old toward the Heterodox: and how ingenious the *Virtuosi* of the *Inquisition* have been in finding out such torments for Heretics, as can multiply one death into a thousand, I with horreur think of. How profound a submission and deference to the unaccountable Will of Heaven doth this Consideration require, namely, that Christs little Flock even in the Ark of his Church, is not only endangered by a deluge from without, but by one within, and that of its own blood, and that the Sheep of Christ appear to a common eye to be (as it were) made on purpose to feed the grievous Wolves that are entred in among them, and as it may be supposed that thousands of harmless Sheep were in the Ark of *Noah* employed to feed, perhaps about 20 pair of the hurtful Carnivorous Beasts: nay which is more, that Heaven should permit such great slaughters of its little Flock to feed the very vitiated fancies of the worst of men, as was before insinuated!

But who can without shame for depraved Mankind, and a heart inwardly bleeding, think of the result of the Popes Gift of *America* to the King of *Spain*, where so many Millions of the poor Natives having had no promulgation of the Law of Christianity, and were accountable to God only for the violation of the Law of Nature, were so unnaturally murdered by the *Spaniards*, that it would seem incredible that God having made of one blood all Nations (as 'tis said in the *Scripture*) and there being a natural Cognation between all Humane kind as the expression is in the *Digests*, they should depopulate that part of the World of a greater number of Souls than is now living in the flourishing Kingdom of *France*, if that Famous *Spanish* Bishop *Bartholomæus de las Casas* hath made a true Estimate of the *Spanish* Cruelty in the *West-Indies*, namely, that in about 45 years the *Spaniards* by several monstrous Cruelties put to death 20 Millions of *Indians*.

At this rate of murderous Mankinds thus outraging one another, the World would seem to be likely to end before it was (as I may say) to purpose begun, I mean the purpose of God Almighty.

But the thought of the shame of being outwitted by our Neighbour Nations, and the fear of being outdone by them in strength, populousness and riches, and our certain knowledge, (as was partly before hinted) that toward the latter end of the World by the growing populousness of Mankind, we must naturally and without any eye on prediction in Scripture more and more *hear of Wars and rumours of Wars*, and the shame of our encouraging a few Traders in *Contraband Religions* to hope they can ever destroy the Peace and Trade of the Kingdom again, must (supposing Heretics to be men) naturally make the former *Mode* of killing them appear not more barbarous then ridiculous.

Sir W. P. having in his excellent *Manuscript*, called *Verbum sapienti* made excellent Computations of the *wealth of the Kingdom*, and of the *value of the People*, and of the *several expences of the Kingdom* and of its *Revenues*, and in his last *Chapter* there considered how to employ the People and with what great industry, doth like a Noble Philosopher conclude it with these two Queries and their Answers, viz. *But when should we rest from this great industry? I answer when we have certainly more Money than any of our Neighbour States, (tho never so little) both in Arithmetical and Geometrical Proportion (i. e. when we have more years Provision aforehand, and more present Effects.) What then should we busie our selves about? I answer in ratiocinations upon the Works and Will of God, to be supported not only by the indolency, but also by the pleasure of the body, and not only by the tranquility but serenity of the mind, and this exercise is the natural end of man in this World, and that which best disposeth him for his Spiritual Happiness in that other which is to come. The motions of the mind being the quickest of all others afford most variety wherein is the very form and being of pleasure, and by how much the more we have of this pleasure, by so much the more we are capable of it, ad infinitum.*

And thanks be to Heaven we have no *Isthmus* in Nature to dig through, which yet by our many hands might be done. 'Tis but the removal of the *broken Fence and bowing Wall* of a Religion-Trade, which we can well look over and easily see through as now broken and bowing, and which is the more loath'd for having so long and so much debarred us from real Trade and real Knowledge, and too from real Religion, and this flowry Coast will be as free to the feet of us *Northern Heretics* so called, as 'tis now to our Eyes, and we through the effects of our populousness, and being necessitated to industry, be secured from any fear of sharing in a *Prophetick* Calculation that might be called, *The Burthen of the North*, made by a late Author of a *Discourse of Trade*, *That the French without the use of their Iron, will command all the Silver of the North and sweep it away thence by the over-balance of Trade.* But after all the *Souths* raillery on the *North*, they will find that the *Northern* half of the World hath more Earth, more Men, more Ships and Sea-men, more Stars, more day, and more light of the Gospel, and I may add, more good nature and frankness, more bodily strength and fewer Plagues, and Earth-quakes then the *Southern*. And where most people are 'tis no *Heresy* nor *Enthusiastic Prophecy*, to say that there will in time be most Trade: which appeared by *England's* not being afraid to throw the Die of War against both *France* and *Spain*, in the beginning of the Reign of the Royal Martyr.

As the over-balance of Trade is insensibly lost in any Country, it is likewise so regained, and in time will appear regain'd, and like health in the body of a man of strong Vitals after his being seized by and recovered from a *Chronical* Disease, and of the time of the beginning and ending of which by unforeseen Accidents, no shadow of a Dial or sound of a Clock could give the indication.

I shall assign an instance of this in our own Kingdom. The *Author* of *Britannia languens* calculates 2,50000 *l. per Annum* to have been formerly at a *Medium* for 76 years brought into *England* by the balance of its whole Trade in the World.

Committees of Parliament have worthily laboured in several *Sessions* to model and draw *Bills* for the making us wear our own Woollen Manufactures, and many who have writ *Books* and *Proposals* about Trade, have very honestly endeavoured to perswade us so to do. But as the saying is, *accidit in puncto*, &c. an *Accident* too low for our States-mens consideration, hath for several years caused *England* to gain more then it did by the aforesaid Balance of Trade, viz. the said 2,50000 *l.* at a *Medium* for 76 years; and this *Accident* is the general fashion of Womens wearing Crape. And because I have conversed with none who has observed the effect of this Accident, and which tho seeming small, is very momentous, and appears (as many things in Trade do) like great Weights hanging sometimes on small Wires, I shall divert your Lordship by Calculating *en passant* what *England* gains thereby, in such a way as the Nature of the thing will bear, and may passably serve to have it done in.

A pound of Wooll makes 15 yards of Crape. Each Female one with another may be supposed to wear about 10 yards of Crape in her Apparel. There are in *London* probably about 100,000 Females that wear Crape. It may be supposed that in all *England* and *Wales* there being ten times as many Females as in *London*, that one half of this proportion of the *London* Crape-wearers may wear Crape in the Country, viz. half a *Million* in all. It may be supposed therefore that the Crape-wearers one with another wearing ten yards a piece, that five *Millions* of Yards of Crape may be yearly worn in *England* and *Wales*, and that one pound of Wooll making fifteen yards of Crape will occasion the Consumption of a third part of a Million of Pounds weight of Wooll *per Annum*, viz. 333000 and 333 pounds weight of Wooll which (accounting fine Wooll such as makes Crape to be worth one Shilling *per Pound*) amounts to 16000 *l. Sterling*. The labour of the People in Manufacturing the same, amounts to about thirty times as much as the Wooll, viz. half a *Million* of Pounds *Sterling*: and this yearly gain *England* cannot miss of while the Women of the Court continue the fashion of wearing Crape, whom the Women of the City and Country will imitate in their garb.

If any shall think that the allowance of 10 yards to be yearly worn by each Female Crape-wearer may seem too much, he may consider that some Crape used by men about their Apparel, and the great quantity thereof employed in shrouding the Dead, pursuant to the late *Act* (and which but for the invention and use of the Manufacture of Crape, perhaps would not have been effectually put in Execution) may probably incline him to be of an opinion that *England* gains more vastly by this new Manufacture of Crape, then I have supposed.

The *ridiculing* humour of so many in the Age, may perhaps move them to think observations of this kind to be unimportant. But if any shall take a Prospect of the substantial and great wisdom of our Ancestors in our *Statute-Book*, he may find there 11 *Acts* of Parliament about *Thrums* and *Tarn*,

Tarn, and many about *Fustians*, and 26 about *Worsted*, and *Worsted-Weavers*, and another Statute of *Pouledavis*: but there is that of moment in my Account relating to *England's* Gain from *Crape*, that after 145 Statutes made to advance our *Wooll* and *Drapery* and *Dyers* and our *Woollen Manufactures*, so much decayed in spight of them all, this seeming poor little thing hath without any *Act of Parliament* enriched us.

And many are the Foundations of Manufactures laid in our Country Cities, and daily growing since the time that *Dr. Williams* Arch-Bishop of *Tork* in his Speech in the Parliament of 1640. in defence of the Bishops Votes observed, that *Tapsters, Brewers, Inn-keepers, Taylors and Shoo-makers do integrate and make up the body of our Country Cities and Incorporations.*

And tho the *Northern Heretics* are *crasso sub aere nati*, yet have they (as was said) compensative Advantages from nature, and as if nature meant them more then others for Lords of the Sea and Navigation, the Pole of the *Magnet* which seateth it self *North*, hath been observed to be always the most vigorous and strong Pole to all intents and purposes, and the *Magnetical Virtue* impressed on the Earth is there more strong likewise, I mean on the Church Land seized on from the Papal Idlers and Burthens of that Earth to support the necessary defence of the State, and therefore will necessarily attract mens Iron and their understandings with Justice to keep it. *Dr. Heylin* in his *Geography* in *Folio* tells us, that 'tis not so much the Authority of *Calvin*, or the Malignant Zeal of *Beza*, or the impetuous Clamors of their Disciples which made the *Episcopal Order* to grow out of Credit, as the Avarice of some great Persons in Court and State, who greedily gaped after the poor Remnant of their Possessions.

But tho nothing like an over-Balance of the Clergy in the wealth of the Kingdom ought to have sunk that Order and its Revenue in *England*, (where perhaps ten times as much is spent either on the *Law* or on *Physick* as is on the Clergy) it need not be wondered at, that in those Countries of the *North* where they are continually standing to their Arms at least of defence, and Calculating their Provision for War, that the *Lutheran Princes* (as *Heylin* saith) have divided the *Episcopal Function* from its Revenue assuming to themselves much of the latter, and sometime giving part thereof to their Nobility, with the Title of Administrators of such a Bishoprick, and of super-intendent to those who have there the Pastoral Solitude, and with some proportion of the Revenue for their maintenance not much exceeding what is usually received by *Calvinist Ministers*.

And if my Lord Primate *Bramhal* may pass for a good *Casuistical Judge* of the Law of God, who in p. 39. of his *just Vindication of the Church of England*, speaking of an excessive Revenue of the Clergy and their over-balancing the Layety, saith, *And if the excess be so exorbitant that it is absolutely and evidently destructive to the Constitution of the Common-wealth (it is lawful upon some Conditions and Cautions not necessary to be here inserted) to prune the superfluous Branches, and to reduce them to a right temper and æquilibrium for the preservation and well being of the whole Body Politick*, and if any Credit ought to be given to the Account of *Cardinal Pool* shewed to me within these few hours, relating to the over-Balance of the old *Ecclesiastick Revenue* here, after he had used all his own diligence and that of others to prepare a Calculation of the same for the *Pope*, and had sent 3 Reams of Paper of this to the *Pope* that are now in his *Archives*, and had acquainted the *Pope* therein, *That it was visible that had not the Church here fallen into the Shipwrack of its Revenues, the Ecclesiasticks had here in a short time insensibly rendred themselves Lords of the*

*the whole Kingdom, and that there were more Colleges and Hospitals in England than in France, which exceeds England by two thirds both in Lands and Numbers of People, we may very well conclude that had any accidental force in Queen Mary's time renversed the alienation of the Church Lands, that force would not have long continued, and should any as wild Imaginers may suppose, happen for the future here, or perhaps in other Kingdoms of the North, those Lands would soon appear to all to have such a Magnetical Vertue as is in the Globe of the Earth, whereby as to its natural points it disposeth it self to the Poles, being so framed and ordered to those points that those parts which are now at the Poles would not naturally abide under the Æquator, nor Green-land remain in the place of Magellanica; and thus it may be said that if the whole Earth were violently removed, it would not forsake its Primitive Points nor pitch in the East or West, but very soon return to its Polary position again, and resemblingly in any new forced over-balance of those Church Lands, the very dull Earth's *Animus revertendi*, to the just libration of States and Kingdoms would soon be apparent; and neither the Popes moving the Earth, or even Archimedes his doing it would have been of any importance: and the Papal Pride elevating him to say with *Lucifer sededo in monte testamenti in lateribus Aquilonis, I will sit in the sides of the North* would soon be attended with the Exclamation of *How art thou fallen, O Lucifer, Son of the Morning, &c.* and, *Is this the man that made the Earth to tremble?* France that I believe exceeded England by two thirds in the number of People in Queen Mary's time when Cardinal Pool made his Estimate thereof, did securely heretofore suffer great numbers of its People to be unemployed in it, as namely, the Beggars and others of the lower ranks, and through want of opportune means of subsisting at home to seek their Fortunes abroad, and that not as 'tis in the Case of so many Scots yearly leaving their Country, (the which perhaps is not able well to nourish more Inhabitants than it hath) but through the abovementioned want of encouragement to continue in that opulent and fertile Kingdom, a Kingdom that Grotius doth but right to, when in the Dedicatory Epistle of his *De jure belli & pacis* to Lewis the just, having mentioned the Kingdom of Heaven, he saith, *which Kingdom only is better then yours.**

And 'tis no wonder if the Ministers and Counsellors of State there did not concern themselves to make rational Estimates of the growing Populoufness of the Northern Countries, and particularly of England, when nothing of that kind was perhaps so much as attempted here before the probable inferences of the Observator on the Bills of Mortality made about the same.

As to the former unconcernedness of France in preserving or encreasing the numbers of its People, there is an observation of Sir Thomas Culpeper Knight, in his *Discourse about Usury* where he saith, *France tho so good a soyle lies half of it waste, the Natives even loathing their own Country, and burdening all the habitable World with their beggarly Colonies, one third of the Lacqueys and Valets in Europe being French Men.* Witness Dr. Heylin who tells us, that once at Madrid they banished them all as dangerous for their numbers, finding the French Servants in that Town alone to exceed Thirty Thousand, so just and natural is it for oppression to disarm it self.

But I have already mentioned it that the present Great French Monarch, not more renowned for his *Arma foris* then his *Consilium domi*, and his able Counsellors there, doth by Accurate Measures study the encrease of his People, and 'tis very remarkable that in the *Code Louys* which he published in April, 1667. he made some Ordinances with great care for the Re-

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gisting the *Christenings* and *Marriages* and *Burials* in each *Parish* in his *Realm*, as appears by *Title 20. Article 8, 9, 10, 11, 12, 13, 14.* there from *p. 107, to 112.* and with much more exactness then the *Bills of Mortality* in our *Metropolis* are ordered, and the which that Great Prince thought worthy to be enjoined in his *Code of Laws*, having perhaps been informed by his Ministers that many Political Inferences as to the knowing the numbers of People and their encrease in any State are to be made from the *Bills of Mortality*, on the occasion of some such published about 3 years before by the Observator on the *Bills of Mortality in England*, and where tho many are apt to think that the *Registering* of the *Births* of People was first invented by *Cromwel*, in *Harry the 8ths* time; yet is the thing as old as the ancient times of the *Romans*, and among them introduced by *Servius Tullius*, who to ascertain the number of Births and Burials, ordered that when a Child was born, the Kindred of the Child should bring a piece of Money into the *Ærarium* of *Juno Lucina*, and so likewise in the Exchequer of *Venus libitina* when any died or came to Age. And this Custom being quite abolished, was revived by *Augustus Cæsar* at the Birth of Children as *Lips.* on *Tacit.* observes.

But what was worthy of the *French King's* providing for the stability of his Throne, he further ordered an exact *Registry* to be took of the numbers of his half Subjects, I mean the *Regulars* and *Seculars* by the following *Articles* there, namely, the *15th, 16th, 17th,* in that Title.

Mr. Samuel Pepys that Great Treasurer of Naval and Maritime Knowledge, and of that great Variety of the Learning which we call *recondita eruditio*, having Communicated to me the sight of a Paper mentioning that in the whole Number of Men in the Realm of *Spain*, long since by secret Survey, there were returned a *11 Hundred and 25 Thousand* and *3 Hundred and 90 Men*, (and which secret Survey I suppose was made some time before the Year *1588.*) I observed that the number of the *Regular* and *Secular Clergy* was not included in that Survey.

But I think the numbring of the many *Regulars* there who (no doubt) so often say in their hearts, *Nos numerus sumus*, &c. had been of as much importance to the Government, as the numbering of the *Lay-men*, and for the number of which the *Code Louis* hath as aforesaid so carefully provided, and thereby made the prudence of this *French Kings Code* outweigh *Justinian's*, and hath discovered to the World the acuteness of his understanding, to be not inferior to that of his Sword. And the Expences of the Crown being under the Government of this Monarch so very much greater than in his Fathers time, have necessarily occasioned such an exact knowledge of the Numbers and Wealth of his Realm, as hath provided him his strong *Sinews* for War.

Thuanus on the Year *1615.* tells us how that *Lewis the 13th*, Having appointed some Persons to compute his *Expences* and *Receipts* for the Year *1614.* That one and twenty Millions and fifty thousand *Livres*. i. e. (at 20d. a *Livre*) one Million, 7 Hundred, 54 Thousand, 66 Pounds Sterling, were issued out of the Exchequer, and that 17 Millions and 8 Hundred Thousand *Livres*, i. e. 1 Million, 4 Hundred, 83 Thousand, 3 Hundred 30 Pounds Sterling were brought into it, and so his *Expences* then exceeded his *Receipts* three Millions seven Hundred Thousand *Livres*: i. e. 2 Hundred 70 Thousand 8 Hundred 33 l. Sterling: and beside those *Receipts* and *Expences* the *Historian* saith, that there were eighteen Millions of *Livres* Collected out of the *Provinces* i. e. 1 Million 5 Hundred 8 Thousand 3 Hundred Thirty Three Pounds Sterling, and which were distributed in them for the Pay of the Officers there employed for other *Expences* there. So that the *Expences* and *Receipts* of that Crown

since the Year 1614. were more then quadrupled in the Year 1673, of the which I mentioned the Total before and abstracted the same from a Paper that some Merchants gave in to the Loyal long Parliament, wherein the particular Sums accruing from the respective *Generalities* in *France* are set down, as likewise others are in *Klockius de ærario* for another Year.

We have already found that it is not so many of our Peoples taking the name of this great and wise Monarch in vain, that will do our Business, or their wishing the Ocean of the Wealth of that Kingdom exhausted that will do it; and 'tis now visible to all that nothing can prevent its encrease but the stopping up the Rivers of Money that run into that Sea, from our Countries and others for the Commodities and Manufactures of that Kingdom, that can only produce that effect, and which not so much our hatred of *France*, as love of our selves will necessitate us to produce, and which therefore must stop up the Rivers of Contributions, that from deluded or Enthusiastic People formerly ran into the Religion-Trade, and then the great Cry of *Templum Domini* get as little Wooll from the Kingdom as it hath brought to it, and the zeal of the very *Vox populi* drive such *Buyers and Sellers and Money changers* out of it that formerly made it a *Den of Thieves*: and indeed if it should be supposed that the Balance of solid Trade should continue for the future to be against us, to the proportion it has been estimated of late years, neither *Papists* nor *Presbyterians* would be able to maintain a double Clergy as now they do, I mean their own, and that by Law established.

'Tis fresh in Memory that the House of *Commons*, in the Kings long Parliament, ordered the *Commissioners* of the *Customs* to compute for them what Goods went hence to *France* in a year, and their value, and what in that time came from thence hither and their value, and that they computed that the value of those exported hence into *France* was about 1 hundred and 70 thousand Pounds, and the value of those imported here from *France* was about 1 Million and a half, beside 6 or 7 hundred thousand Pounds worth of Goods, they supposed were brought in by stealth as Silks, Embroyderies, &c. at which rate 'tis possible we may have about a 3^d part of the Current Money of *England* yearly carried into it: and indeed all our grave Laws against sending Money in *Specie* out of the Country when the Balance of Trade is against us, are but *hedging in the Cuckow*: and so we have by necessity of Nature the Prospect of a busie World before us, that we may recover that *Balance* on our side. And during that Conjunction of *Business* all the Nerves of our Minds must be extended to prevent our doom, from that forementioned Sentence of late so much in vogue, and which I have heard some men living fallly vouch'd for the Authors of, viz. *Res nolunt malè administrari*; for it is in *Tully*, who I suppose had it from *Aristotle*, to whom *Venerable Bede* who died 949 years ago, refers in his *Axiomata Philosophica* printed at *London* in 12^o, as the Author of it in the Margint of that *Axiome*, *entia nolunt malè disponi*, quoting *Aristotles Metaphysics*. Among *Bedes* works 2^d Tome p. 151. the *Axiome* is thus worded, *Nolunt entia malè gubernari*. Men may ill Administer their understandings, as by Credulity, Supineness and the like, and they may think by the Artifice of Laws to pinion the wings of our riches from flying away, and as absurdly as *Sylla* would by an *Edict* be judged fair: but things meant by the word *entia* or *beings* will not be ill administred: and 'tis easier to fix Quick-silver then the *being* of our Silver here, if our importations preponderate. The gravity of our Laws can no more make it stay still here than the *Vox populi*, and the Almanacks can make a real *Solstice*, or the Sun at the time of the year they call the *Solstice* not to move forward in the *Zodiack*, as much as at any other times. The

The *Being* of Money in a populous Country that hath no competent Mines in it, depends on the *Being* of Trade, and the *Being* of the so many Millions of Mouths in our Realm, will necessitate the Millions of hands to work, and the growing dearness of Provisions, and cheapness of Wages will enforce men to work harder, and the *res parva labore* will not be ill administred, nor sacrificed to Idlers, nor false Gods as formerly find true Perfumes here, nor Metaphysical *Entities* or Notions rob men of useful Chymical *Essences*, or rob Kingdoms of their being defended, and enriched, by destroying the *Beings* or Lives of so many Men as Hereticks, and *Beings* that the Papacy endeavouring to administer ill, and by its enslaving men making *Personas res*, caused so many defections from it; nor that precious thing called time suffer it self to be ill administred by Presbyterians erecting ten thousand new *Tribunals*, or (as one may call them) Ecclesiastical Courts of *Pye-powder*, that is one in each of our Parishes, when as those men have been heard to complain of the Grievances Trade hath found from one Court-Christian in a Diocess: and the same necessity which did make our Manufacturing Peoples Appetite for their Daily Bread to be the *ingenii largitor*, or whet their Wits for the invention of Crape, may in all probability produce Manufactures of Hemp and Flax as considerable as that of Wooll hath been and is, which I think must naturally happen from the many *French* Protestants and others here lately planted, and a more important Linen Manufacture be here by them introduced, then was the woollen one set up by the *Dutch* Protestants, whom the *Duke of Alva's* Persecution brought hither: and which no *Act* of Parliament here or Projects of Work-houses would probably have effected, or necessity else have brought in among us in some Ages. And hence will a great improvement of our Land and Employment of our People probably happen by the sowing of Hemp and Flax, for which so much Money goes out yearly hence *in specie*, and the design of sowing which hath hitherto proved Abortive in several Parliaments, and particularly in one of the last Parliaments of *Queen Elizabeth*, and likewise in the King's long Parliament. Considering how easie it will be for those of the *French* Nation who are here, and who were used to make Canvas and Sail-cloth for our Naval uses, (and for which *France* hath long had so much Money from us) to make it here and by the Bait of the Gain thereby accruing, to engage several of our Poor to work in that Manufacture, our Nation is not likely to be long without it here advanced, and many of our People therein busied: and 'twill easily appear necessary to all to promote the making the same here, who shall recollect that the *French* King in that last War with him did forbid the importing it hither. And that coarser Manufacture once introduced will naturally make way for the Manufacture of fine Linen, and those Manufactures found generally gainful will naturally employ the Proprietors of Land in sowing great part of the same with Hemp and Flax, and our good Land hereby retring its former value of years purchase, be no longer ill administred.

I believe therefore that if shortly the *Curious* abroad shall send to their knowing *Correspondents* here for a Political *Map*, or *Scheme* of our Affairs, and ask what is become of the fantastick *Utopias*, *Oceanas*, and new *Atlantis'es* that our late *Visionaries* and idle *Santerers* to a pretended new *Jerusalem* troubled *England* with, and shall further send hither to their friends that old Question, *Quid rerum nunc geritur in Anglia*, The *Return* they will receive from *England* will be to the following effect, *viz.* That People in that Noble and very Populous Country do there mind things, that the Trade of words is spoiled, that the business of sowing Tares is over, and that

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he will be the inimicus homo to himself who doth it ; that the sowing the Wind of Errors in the Church, and the reaping the Whirl-wind of Confusion in the State is grown hateful : that they have done weaving of jus Divinum, and dying of Religion with false Colours, and preparing Nets and Snares of death for one another : and that the most ungovernable Animals troubling others with Projects of Government of the Church is out of fashion ; that they have done there with Science falsely so called, and quæ non habet amicum nisi ignorantem, and with Trade falsely so called, the false Religion-one that hath no friend but the knave ; that their eyes are there opened and they see, that res accendunt lumina rebus, and their hands are at work in Trade and Lucre without turpitude ; that they can no more be brought like St. Francis his Novice to set Plants with the head downward, nor at the instigation of factious Heads of Religionary Parties, to do with their Notions as Fryar John at his Abbots Command, did with a dry withered stick which he planted, and twice a day for a whole year fetched water two Miles off to water it, and omitting it no Festival day ; that they speak more of Christ and talk less of Anti-Christ, and do promote Christianity by solid Industry and Charity ; and the living there are Apparel'd with their own Linen as the Dead are with their own Wooll, and are grown so dexterous in the Linen Trade that it may be said of them what Klockius doth of the Dutch, 'tis to be doubted, plusne in lanificio an vero in linificio illi præstent ; and thus by means of a true and undefiled and laborious Religion there, Antichristus lino perit, as I may say with Allusion to a forementioned Phrophecy. The Genius and Interest of England, bath in several Conjunctions been intent on devouring the Religion-Trade (and which still bath slip'd from its seisure) bath now at last effectually swallowed it up : and just as a Cormorant swallowing an Eel, and the Eel slipping out through its Body, is soon by that potent Creature again swallowed, and again slipping through its Body, is at last certainly macerated and dissolv'd in its Stomach, and still the Cormorant bath weakened the Eel in its passage through it, thus bath it in England fared with the Religion-Trade : that as Luther said of one great point in Religion, it was doctrina stantis & cadentis Ecclesiæ, the Notion of the not getting or losing by Religion there, is accounted the Doctrina stantis & cadentis Reipublicæ. That time bath laid so close and long a Siege to the Popish and Presbyterian Religion-Trade, that as it was in the Siege of Ostend, there is no more Earth left it to defend. That as Physicians observe of superfetation in Women, if it be made with considerable intermission, the latter most commonly proves Abortive, for that the first being confirmed engrosseth the Aliment from the other, it hath happened so in England to the superfetation of Reformation. That the Trade of Reformation unduely prosecuted by Art, hath been diverted by the Reformation of Trade resulting from Nature, and the over spreading the Land with such a great and useful Linen-Trade and Materials for the same, as hath in a manner exterminated Poverty from the same.

And while now Nature seems to Court our Expectation with the probability of this new Scheme of Trade, and Manufacture, (and which perhaps will stay with us till the Scheme or fashion of this World shall finally pass away) I shall take occasion to discharge my self of a promise I long ago made to your Lordship, when you were Treasurer of the Navy, which was to send you an account of the rough Hemp and Flax, and Sail-Cloth, and of all the other Manufactures of Hemp and Flax, imported into England yearly : and now that it may appear what quantities of Hemp and Flax, and the Manufactures thereof have been here imported, and from what Countries, and that thereby we may usefully take our measures about the proportion, to which this new Trade and improvement of

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our Land should at least be advanced, and because likewise the former measures of computing what *Sail-Cloth* and *fine Linen* have been here imported, were taken generally from blundering Estimates and random Calculations, and that we may see it possible, tho *France* hath got the start of us in the *Linen Manufacture*, that we may yet overtake it in the Race, for that 'tis apparent tho much *Sail-Cloth*, yet little or no *fine Linen* hath thence come to us, I shall here entertain your Lordship with an *Account* of the *Linen-Cloth*, *Canvas*, *Linen Tarn*, *Hemp*, *Flax* and *Cordage* imported into the *Port of London*, from *Michaelmas* 1668. to *Michaelmas* 1669. which was drawn up for me by the favour of one of the late Farmers of the Customs. I happened to make choice of that year for the quantity of those importations, as being a year of Peace, but was since told by the Merchants that that year being the second after the Fire of *London*, there was then imported into *London* about a 3^d part less of those Commodities than was in common years; the which happened because the year before being the next after the Fire, an extraordinary glut of those Goods was then brought in.

Your Lordship thereby seeing what then came into the *Port of London*, will in effect see what came into the whole Kingdom, the *Out-Ports* bearing a proportion of a 3^d to that of *London*: and by finding that we have so much *Hemp* from the *East Countries* now we are put to it to go to Market there with ready Money instead of our woollen Manufactures as formerly, (as we likewise do for our *Pitch* and *Tar*, and *Masts*) find that we are more closely concerned in point of interest, to have our *Hemp* provided at home.

And it will appear high time for us to begin somewhat like a *Linen Manufacture*, when a running view of this *Account* presents us with so great a quantity of old Sheets imported from *Holland* and *France* (tho perhaps designed by us for our *Plantations*) and of *Linen Tarn* and some *Linen* from *Scotland*: and since in that year by an Abstract of the exportations of *Ireland* I have seen, that Country so long unsettled, had yet so much *Linnen Tarn* and *Linen Cloth* for its own use, that 522 pieces of *Linen Cloth* of 40 Ells in a Piece, and 4 Thousand 6 Hundred, and 25 Hundred weight of *Linen Yarn* then were thence exported.

The *Account* I mentioned is as followeth, viz.

An Account of Linnen-Cloth, Canvas, Linnen-Yarn, Hemp, Flax, and Cordage, Imported into the Port of

London from Michaelmas 1668, to Michaelmas 1669. viz.

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That little sowing of Hemp and Flax here that hath been, hath already met with as much encouragement as this comes to, namely, that 'tis all bought up by the years end: and in our way to the Manufactures of Hemp, the above Account doth so far encourage us as to let us see that almost all our Cordage is made in *England*; and since by some Accounts I have seen of the Importations in *Amsterdam*, almost as much Hemp and Flax is therebrought in yearly as into the whole Kingdom of *England*, the necessity that will be driving us on to the Linen Manufacture, will be accompanied with this comfortable Consideration, that as 'tis possible for us to overtake *France* therein, so we may *Holland* (at least in the making of Sail-Cloth) in regard we may if we will have as much Hemp and Flax growing in our own Soil as they send for to *Riga* and elsewhere abroad.

The *French* Protestants at *Ipswich* have lately made finer Linen than ever was made in *England*, namely, of 15s. the *Ell*: and for which tho they had their Linen Yarn from *France*, yet afterward they sowed Flax near *Ipswich* whereof to make Yarn, and it was observed to grow so high, that the People resorted from all parts adjacent of the Country to see it, they having never seen any so high before.

A Judgment so penetrating as your Lordships will easily find how the said Account may be many ways useful to the publick in point of Trade, as for example, the Consideration is obvious that those Countries we receive no Hemp or Flax or their Manufactures from, we may profitably in the way of Traffick hereafter carry them to, and by that means know our proper Markets, as particularly *Spain*, *Italy*, *Portugal*, &c.

That great *Bankrupsy* in *London* that hath thence like a Plague infected so many of our Country Traders, and laid there too so much Land in some sort desolate, will by natural necessity oblige them to countenance this improvement of the Realm by new Commodities and Manufactures: and that which hath in many of our poor *Idlers*, Created such an Aversion from the sowing of *Hemp* and *Flax*, namely, the toyle of beating the same, will soon cease by the acquainting them with the Invention of a *Mill* near a *Rivolet* by which as much Hemp may be beaten in a day as can be by two hundred men: and they who have been incessant in complaining of others being *French* Pensioners, and thought themselves slighted because they were not so, shall by the Protestants of that Nation thus leading us by the hand to a rich Manufacture, find *France* to have thus sent Donatives to our whole Land. And from the example of their innate Loyalty to their Hereditary Monarch, and thankfulness to ours for their protection, I doubt not but many of our Malecontents will imbibe principles of obedience to Government and a sense of their safety under that *Asylum*: and such persons whatever their pretensions are, will deserve ill of the Kingdom and its Trade and Manufacture, who by their excessive Complaints of the danger of Popery and of the *Fantome* of that pretended Religion frightening us out of our Laws, shall really deter more such Protestant Strangers from planting among us. But as men may be said to be deterred by shame from fearing any thing in throngs, and where they are secure from robbery, and can suffer only by petty *Larceny*, so I believe will this populous State of our Country insensibly wear off the excess of our fears; and do expect such a future State in *England* as will make men ashamed of their past fears, and their former deference to ill boding *Prophets*.

Gassendus in his *Works* tells us, that all the *Astrologers* of *France* concluded, that by reason of the great Conjunction of watry signs in *Piscis* and *Aquarius*

in the Year 1524, that there should then be another deluge in that Realm, and in Germany, in the Month of February, a rainy Month, and that many of the People thereupon went with their Goods and Cattel from the Low Lands to the hilly Country, and yet that Month proved the driest Month that ever was known: and thus do I expect that many of our Melancholy Prophets in England will be *toto cælo*, mistaken in their auguries. And if natural Considerations did not induce me thus to foretel good to my Country, another Consideration might tempt me to predict ill, namely, the warding off all the risque of a false Prophet: for among the *Jews* if a man prophesied of future ill to a Person or State, and it came not to pass, he was not therefore pronounced a false Prophet, by reason of the infinite goodness often inclining the Divine Nature to avert its threatned Anger; but if he prophesied of good Success, and it happened not, he was then reputed a false Prophet, for that (*they said*) Heaven never cancelled a Decree of Mercy.

Considering how often things at random predicted have come to pass, and tho like Seeds carelessly thrown into the Field of Time have yet grown up, and how many even of the higher *Class* of understandings, have been tempted to believe the predictions of the illiterate, and that such could read the Book of Fate who yet could read no other (as appeared by Sir Thomas Moore and Bishop Fisher being tainted with some belief of the *holy Maid* of Kent's Sayings, or at least seeming so to be) and that the prediction of things as I partly before hinted may help as a Natural Cause to give them Birth, I wishing so well to my Country and its Religion by Law Established, have however adventured from Natural Causes to give my judgment for the future State thereof as I have done, not despairing of its influences on some present Despairers.

And moreover the *Class* of *Magna nomina*, who have faulter'd in their measures of *Prophecy*, is so great that an obscure mistaken person may well hope to hide himself among them.

Father Parsons alias Doleman, in his *Book of the Succession*, doth p. 258. give his final Conjecture of the great future Event of the Succession after the death of Queen Elizabeth, saying, *My opinion is that this Affair cannot possibly be ended by any possibility moral without some War at leastwise for sometime at the beginning*, and gives his reasons for that his opinion. And how all our hot Apocalyptick Men and Teazers of *Anti-Christ* have erred in the times of the great Changes they have predicted in the World, is obvious: and therefore the most sagacious of that sort of *Expositors*, have made the things they have foretold to be far distant in time, and before which they knew they should long be in the number of *Non entes doctores*, as one calls the *School-men*: and thus likewise the ingenious Author of the *Treatise of Taxes and Contributions*, printed in London 1667, doth p. 23. say, that *Before five hundred years we may be all transplanted from hence into America, these Countries being over-run with Turks and made wast as the Seats of the famous Eastern Empires at this day*.

Mr. Herbert, our pious *Vates*, made Religion standing a *tiptoe* to take its flight thither many years ago. And the ingenious Author of the *Zelanders Choice* hath therein told us that the *French* would never part with *Utrecht*, and that our King's *Declaration of Indulgence* would never be recalled; but the contrary happened in both Cases, and the *Vote* of the *House of Commons* in order to his Majesties recalling the latter, was carried by the Party there favouring the Nonconformists, and could not have been without them, which that Author did not foresee, and that those Nonconformists would be well neither full nor fasting, and therefore their reflections on the King's Ministers

Ministers for denying Indu'gence to them since, ought to be very gentle.

Mr. Fox in his *Martyrology* in one Volume p. 694. gives us this conjectural prediction that the Turk will seize *Rome*, and founds one of his reasons for it on the 18 *Ch.* of the *Rev.* and that he shall consume it with fire, and *Ribera* the *Jesuite* in *Chap.* 14th of the *Rev.* saith, *Romam igitur non tantum propter priora peccata conflagratarum esse magno incendio, sed etiam propter illa quæ extremis illis temporibus commissura est ex hujus Apocalypsis verbis adeo perspicue cognoscimus, ut ne stultissimus quidem negare possit.* Neither Mr. Fox nor the *Jesuite* name any particular time when *Rome* shall be consumed with Fire: but many whose Enthusiastic fancies have played with the fire of *Rome*, adventured to lay the Scene of its ruine in the Year 1666: and to assert this, a Latin Book was professedly writ and called, *Romæ ruina finalis Anno Dom. 1666.* and printed in *London* in the Year 1663. in the Title whereof 'tis said, that *Rome* shall be *incendio delenda*, in the Year 1666.

And no doubt our many Prophetic Writers that read that Sentence as from Gods Tribunal, that *Rome* shall be destroyed that year, angered the *Conclave* there; and they might well think that to such hot heads there belonged incendiary hands; and accordingly as it was before cited out of the Pamphlet called, *The Arts and pernicious designs of Rome, wherein is shewn what are the Aims of the Jesuites, &c.* the Author makes the *Conflagration* of *London* (in case it were a practice of *Humane Contrivance*) to have been caused by *Rome* and the *Consistory* there, and the *Jesuites* as being willing to signalize that year of 666, with some remarkable mischief done to *Protestants* in check to the fancies of some that predicted *Romes* utter destruction then, 'tis possible that they might grant against our City the reprisal of performances for our Prophecies against theirs: which if they did was a Revenge very disproportionate; for according to that rule of the *Pharisees* revenge, namely, an *Eye for an Eye, and a Tooth for a Tooth*, they should only have equipped Airy Prophecies against us, and not Fire-ships, and by a little obvious Art have hounded the number of the *Beast* 666 upon us. And though I am sufficiently convinced by the Quotations out of the *Canon Law*, and the *Canonists* referred to in *Gundissalvus* that the *Tenet* of burning whole Cities if the Majority thereof are *Hereticks*, is chargeable on the Church of *Rome* as approved by it, and tho the Lord Chancellor and two Houses of *Commons*, and the Magistrates of *London* have given their judgment of the Causers of that Fire as aforesaid, and tho one of our great Divines and whose Name all *Protestants* in our Land must mention with great honour, Dr. William Lloyd Dean of *Bangor*, hath in his *Funeral Sermon* of Sir Edmund Godfrey p. 38. speaking of the incredible patience found in the Citizens of *London* at the time of its *Conflagration*, as an effect of the *Protestant Religion*, further said, *Tho so many believed and very few much doubted whence it came, that it was from the same hands which we justly suspect for this wickedness* (meaning the Murder of Sir Edmund Godfrey) yet was there no Tumult rose upon it, no violence done that extended to the life of any Person, yet shall I never without the knowledge of convincing proofs of such a Fact projected, or modelled by some in Authority in the Church of *Rome*, and the Spiritual Guides of our Lay-Papists, charge the *Odium* of the Fact on more of them than make the least of numbers, nor yet the allowance of this *Tenet* on the generality of Papists here at home, or abroad in the World, and would say that as infallible as the Pope was, he knew not what spirit he was of, when he thus in his Law called for fire on *Heretical Cities*; I allude to our Saviour's words to the Disciples that importun'd

importun'd him to call for Fire from Heaven to burn the *Samaritans*.

I know the *Roman Catholick* Author of the forementioned Pamphlet, called the *Arts of Rome, &c.* in the *Epistle* of it, saith of the *Jesuites* and *Fryars*, that *what they hold lawful to be done, they may be justly presumed to do whensoever opportunity serves, and that they see it conducive to their Interest to do it.* Thus likewise *Judges of Ecclesiastical Courts* when the consideration of the Nullity of a Marriage by reason of fear resulting from *threatnings* is before them, do carefully regard this point concerning the *Menacer, an solitus est minas exequi*, a thing the *Jesuites* have not been wanting to do, when Power and Opportunity have not been wanting: and there is no doubt but the *Jesuites* by reason of their 4th *Vow* to the Pope, over and above the Implicit Obedience they have sworn to their Superiors, are to execute whatever he shall command: nor is it doubtable but that when it is said by the *Canonists* that the Pope hath power to burn Heretical Cities, he will reduce that Power into Act when he sees convenient; and as *Dr. Donne* in his *Pseudo Martyr* well notes, *the Lawyers teach us that the word potest doth often signifie actum*: for which he quotes *Bartolus* on the *Digests*.

I believe the truth of his *Computation* where he saith in p. 228 of that Book, *That the Jesuites are in possession of most of the Papists hearts in England*, but I likewise believe his other *Computation* in that Book, where in p. 127. he saith, quoting *Rebadenira*, that in the Year 1608. the whole number of the *Society of the Jesuites* were 10581. and that tho their number is much encreased since, there are not so many in *England* as were when the Book was printed, viz. Anno 1610. and the *Dr.* whose Style was as the *Oxford Antiquities* say of *Mr. Foxes*, in *Romanenses satis acerbus*, (tho I think neither of their Styles was so a jot too much) doth in Chap. 10th of that Book, very learnedly and largely shew that many Eminent and Popish Writers have bitterly inveighed against *Gratian* the Compiler of the *Decretum* of the Canon Law.

No doubt that Law was never *ingross* received in *England*, in the times of our Popish Ancestors, and so neither did nor doth bind *English* Papists in the Court of Conscience, more than the Council of *Trent* doth in some Popish Countries where it never was received: and I find *Bellarmino* cited by the *Dr.* for saying, that *there are many things in the Decretal Epistles which do not make a matter to be de fide, but only do declare what the opinions of the Popes were in such cases.*

I believe that no *un-jesuited* Papist (nor perhaps some sober Party in that Order) will think the worse of me for calling the *Decretum* of the Popes Canon Law, by reason of its empowering him thus to burn Cities, *horrendum Decretum*: and it may perhaps appear ridiculous as well as horrid in the Pope in that Law, to rake in the Ashes of sweet *St. Cyprian* for fire to burn Heretical Towns, and to make him, who was in a manner Excommunicated by the Pope for rebaptizing such as were baptized by Hereticks, to be the Founder of that wild *Tenet* of converting guiltless Lime, and Brick and Timber to rubbish, because they had afforded dwelling places to People, that differed in judgment from *Rome*: and to make him, who in the Year 258. was a Martyr for not being an *Idolater*, to be the Author of burning Cities, that would not adore the Host.

But moreover it may be said that in the *Decrets* made by the Pope to *Ape* the *Pandects*, and to consist chiefly of *Canons of Councils*, sayings of *Fathers*, and *Constitutions of Popes* as the *Pandects* do of the *responsa prudentum*, &c. *Gratian's* founding a *Tenet* on *Cyprian*, or any places out of other Authors,

Authors, giveth it only the weight that *Cyprian* and they had in their proper works: and the Stream of Authority from their Writings in *Gratian* is not to be supposed able to rise higher than the Spring: and thus the *Canonists* agree on this as a Rule, that the things quoted in *Gratian*, *Vim legis habent quatenus reperiuntur illic unde deprompta sunt*: and they tell us, that if any things that are said to be *impia, hiulca, barbara, sine ratione, falsa fideique Historicae adversa*, are found there, they are to be passed by as *Gratian Dreams*, *ut nec confirmatio Pontificum generalis ad ea sese extendere possit*. And on this Account his Glossographer *Andreas*, himself doth often turn his gloss into an Animadversion on his Master (for that name he bestows on *Gratian*) and saith sometimes, *Magister hic non tenetur* (meaning *Observatur*) and sometimes *Superficialis est magistri argumentatio*, and elsewhere with a strain of *Russianism*, *fateor te plane mentitum Gratiane*.

And if any one will read *Pere Veron's* Book of the Rule of Catholick Faith, Dedicated to the Lords of the Assembly general of the Clergy sitting at Paris in the Year 1645. he will find, he saith, as for *Gratian's* Decrees, and the Gloss, they can claim nothing of Faith, the Author being a particular Doctor and Subject to many mistakes even in the Citation of Authors, nor doth he pretend to any such thing: much less weight hath the Gloss than the Decrees, where many silly and ridiculous passages are discovered. As for the Papal Decrees contained in the body of the Canon Law, or published since, none of them do constitute an Article of Faith, &c. *Bellarmino* makes no difficulty to acknowledge Errors in several of them: as for example, where the Canon out of *Gratian* is objected, *quod proposuisti*, extracted out of *Gregory the 3d*, where 'tis said, that if a Woman should be sick and by that means unable to render her duty to her Husband, the Husband if he have not the gift of continency may take another Wife: he replies thus, that the Pope failed through ignorance, which we do not deny may happen to Popes, when they do not properly define but only declare their opinions, as *Gregory* seems here to have done.

And no doubt but every Papist laughs at the definition of a Whore in the Decrets, i.e. *Quæ multorum libidini patet*, and at the gloss there making by *multorum* to be meant 23000.

My Lord, I discoursed frankly of all these last mentioned matters to my Roman Catholick Friend, who (I said) would joyn Issue in the Plea about Religion, if the Pope's Power of firing Heretical Cities, were a Tenet chargeable on the Church of Rome, and have perhaps said as much to throw off the Obligation on any Papists to obey the Pope or his Canon Law, in the infliction of such dire Vengeance on whole Cities, as they would wish said, and do think my self indispensably obliged when I discourse with any of Mankind about any *Quæsitum* relating to natural truth, and much more to Theological, with all possible candour to say what the matter will fairly bear on both sides, as accounting any mans Judgment given *ex parte* to be of little or no value, and esteeming him a *falsarius*, who conceals any thing of truth.

But this Gentleman being a close pursuer of truth told me, he knew well enough that the Canon Law did not as such bind all Papists *in foro conscientiae*, but he would stay in no Church that he should find to be built in any *Akeldama*, or Field of Blood, that is, a Church that approved of *Tenets* destructive of Civil Societies, or condemned not *Tenets* that where any other Religion than the Popes was, would Condemn men like *Nebuchadnezzor* to grasing and to solitude, or if they would live in Towns or Cities, make them live there in Houses under Ground, as *Dr. Browne* in his Travels saith, *He saw some Towns in the Turkish Dominions where Christians so lived*

like the Troglodytes, and subterraneous Nations about Egypt, and which might be occasioned by many Armies marching that way and burning of Towns *en passant*; and that till the Pope disclaimed this power, and damned such *Tenet* in his Canon Law, that hung up there a Light conspicuous to the World, for the lawful kindling of the Torches that should set fire to Heretical Cities, such Cities as he called Heretical would be in fear of their being *incendio delendæ*; and that in the mean time the Jesuites, who assert the plenitude of his power, would implicitly obey his Commands, and their Emissaries execute theirs, without considering whether *Gratian* as a Fool, or a Knave misapplied *Cyprian*: and he granted that if, as an Universal Censor morum, the Pope did Command the Jesuites or others to inflict spiritual Censures in Cases of Sin, or Non-belief of any Religionary Notion, and those Censures were not to operate beyond the Soul, that Civil Societies might yet be maintained; but to give the Pope power to issue out Orders to burn the Cities and Towns, where the Roman Catholick Religion is not professed, is (said he,) to give him Arbitrary Power over a great part of the World, and to leave it to his Arbitrage, whether there shall be any Political Government and Commerce in the States and Kingdoms of Hereticks, and the World might suffer Confusion by the Papacy's having this power *de facto*, as much as if it had it *de jure*, and that several places have been burned as Heretical, and when certainly they had a right not to be so served, and particularly the Heretical Villages at the Massacre of Merindol, of which Dr. Heylin in his Geography in Folio, makes mention, saying, that in the Year 1560. there were above 1250 Churches of the Hugonots in France, which cannot in such a long time but be wonderfully augmented, tho scarce any of them have scaped some Massacre or other. Of these Massacres two are most memorable, viz. that of Merindol and Chabiers, as being the first, and that of Paris as being the greatest. That of Merindol happened in the Year 1545. the instrument of it being Minier, the President of the Council of Aix: for having Condemned those poor people of Heresy, he mustered a small Army and set fire on the Villages. He directed me further for the proof of that Fact to Maimbourg's History of Calvinism, Book 2d, where he mentions the Decree of the Parliament of Aix to which Heylin refers, and saith Maimbourg of it, *Par le quel il Condamne par Contumace dix neuf de Ces Heretiques à estre brasléz, &c. ordonne que toutes les Maisons de Merindol qui sont toutes remplies de Ces Heretiques soient entierement démolies, & renverses de fond en comble, &c.*

He further said, that there was another guess Fire projected by the Jesuites, as was before mentioned out of *Thuanus*, and which was abetted by the Pope, which shewed there was another Pope beside *Eugenius*, that thought the burning of Heretical Cities lawful and meritorious: and he referred it to the Consideration of the Criticks in Gun-powder, how far so great a quantity of it lodged in a strait Vault, might have tended to the demolishing of the Heretical Cities of *Westminster* and even of *London*, if the experiment of the Gun-powder Treason had took effect, for said he, the utmost power of Gun-powder was never yet tried. He told me that *Osborn* in his King James, having spoke of the Gun-powder Treason saith, *I never met two of the like conceit concerning any effect or extent, this Powder might have reached had it not failed of success: some men confining it to the Circle it lay in and no farther: whereas the judgment of others no less experienced, delivered at least the whole Isle to the fury of it: and then he quotes it as the more probable Conjecture, then that it could not but work dire effects on the City it self.*

He further discoursed that in this Case, of securing Protestant Cities from Fire at the Popes pleasure, *Pere Veron's* artifice in making the Church of Rome, chargeable with nothing to be believed but *what is proposed by the Catholick Church in her general Councils, or by her Universal Practice to be believed, as an Article or Doctrine of Catholick Faith*, or any Papists in this Case joyning with Protestants to decry the Canon Law, is but trifling away time, as to any giving light to our understandings or keeping Fire from our Cities: for if each Pope *believes* he hath this power, and the Jesuites too *believe* it, the *Notion* of a things not being *de fide*, will not be sufficient to save our Cities, when the Incendiaries even by the Doctrine of *probability* may save their Souls, and when they shall have such Doctors as the Pope and Gratian and (as they may think) Cyprian for the opinion of burning the Nests of Heretical Hornets.

He moreover mentioned how Bellarmine as to the Tenet of all Christian Monarchies owing subjection to the Pope, said, the contrary to it is Heretical, tho he well knew that no definition of the Church ever made it Heresy, and might as well have called the denial of this Incendiary Power of the Pope against Heretical Cities, to be Heresy.

Moreover he told me he had read Bellarmine cited in that Book of Donne p. 277. for writing against a Doctor, who had defended the Venetian Cause against the Popes Censures, and reprimanding that Doctor in these words, viz. *It is a grievous rashness not to be left unpunished, that he should say the Canons as being but Humane Laws cannot have equal Authority with divine: for this is a Contempt of the Canons, as tho they were not made by the direction of the Holy Ghost: and yet saith Donne, citing that Doctor that impugned the Canons, those Canons that he referred to were but two, and cited but by Gratian. And that Donne further in that Page observed, that when Parsons is to make his advantage of any Sentence in Gratian, he uses to dignify it thus, that it is translated by the Popes into the Corps of the Canon Law, and so not only allowed and admitted and approved but commended and commanded, canonized and determined for Canonical Law, and authorized and set forth for Sacred and Authentical by all Popes whatsoever. Treat. of Mitag. ca. 7. R. 42.*

That moreover tho we know that neither the *Decrets* nor *Decretals*, were ever as such received as Law in England, yet the Pope and Jesuites saying that they ought so to have been, and that they were and are obligatory upon us, it will follow that by reason of an unlucky Proverb of Ben Syrah, *Quantulus ignis quantam materiam accendit*, and which is used by the Apostle St. James saying, *Behold how great a matter a little fire kindleth*, and for that there are some little People ready to apply that little fire, when the Pope or Jesuites would have them, the Majority of the Papists here, being Jesuited (as was observed) and that part of them not being of the Gentry, would not be byassed by generous education and temper against the Commands of the mercenary Pope or Jesuites, and for that even in the Jesuited Gentry here, there were Bigots found to plot and to prepare to execute the *Gun-powder Treason*, it is apparent that the Pope may if he will be very troublesome to our Cities with his Writ *de Civitate comburenda*, and that he or the Jesuites can command numbers of instruments to execute that his Writ (as I may call it) who will think that therein that they do as lawful an Act, as if the four first General Councils had expressly warranted the same.

He said that the Popes *Decrets* and *Decretals* are in several Popish Countries so much regarded, that to encourage men to study the same, *Academick Degrees* are conferred, namely, of *Doctores decretorum*, and *Doctores decretalium*.

Num. That in *France* where the *Canon Law* was never in gross received ; as *Minier* the *President* of the *Council* of *Aix* did set fire on the Heretical Villages as such, so he hath heard that *Boerius* an eminent Lawyer of *France*, and *President* of a *Parliament* there, and who has published a Volume of *Decisions*, hath in *Tractatu de seditiosis* asserted this *Tenet* of the *Pope's* power to burn Heretical Cities. That the Christians of old when they groaned under the heaviest weight of the Pagan Persecution, abhorred this revenge against their idolatrous Enemies, as appeared by *Tertullian's* *Apology*, and their sense of the ease with which this revenge might have been executed, *Quando vel una nox pauculis faculis largitatem ultionis posset operari, si malum malo dispungi penes nos liceret, sed absit ut aut igni humano vindicetur Divina secta, i. e. One night with a few Fire-brands would yield us sufficient Revenge, if it were lawful for us to discount evil with evil: but God forbid that the followers of the Divine Religion should either revenge themselves with Humane Fire, &c.* That the very Heathens of old accounted there was turpitude in promoting not only their own profit, but that of their Country, in firing the Fleet of proclaimed Enemies ; as appeared in *Athens* when *Themistocles* by order from the *Senate*, had privately Communicated to *Aristides* how he could destroy the *Lacedemonians* by privately burning their Fleet, and *Aristides* had reported to the *Senate* that the project of *Themistocles* communicated to him was profitable for the State, but was not honest, they unanimously resolved against hearing it (as *Tully* tells us in his *Offices*) and much less would they have deliberated of its turpitude. That the *Athenians* in the time of open War with King *Philip*, and when their Priests offering their most solemn religious Sacrifices to the Gods for the prosperity of their Country, did *Philippum liberos, terrestres navalésq; copias atq; omnem Macedoniam exitiali carmine & diris imprecationibus detestari*, yet intercepting some Letters writ by him, they returned them to him unopen'd.

That the *Pope* and his *Trent Council* having never disown'd this power, nor branded this *Canon*, nor yet by any *index expurgatorius*, damned the Writings of *Gratian*, or *Gundissalvus* or the Famous *Canonists* by him cited for this opinion, it was plain that they might therefore be said to approve of the same, that *Qui non prohibet cum potest jubet*.

That the *Trent Council* had gone far in the Confirmation of the *Canon Law* ; and that the saying used by the Fathers in that *Council*, was here applicable, viz. *Omnia nostra facimus, quibus auctoritatem nostram imper- timur*.

In fine, he saying that every one ought to withdraw from a Church while it in effect approved Doctrines in the Faith erroneous, and in practice impious, and asking me if some of the Great Writers of the Church of *England*, as namely, Bishop *Jewel*, Bishop *Andrews*, Arch-Bishop *Laud*, Bishop *Sander-son*, or any of them had industriously published it in Print, that we might lawfully employ Emissaries to burn *Rome*, or any City where all or the Majority were Papists, and that such Writing of theirs was never censured by Authority, and impugned by any of our Divines, tho yet by occasion thereof no Anti-Papists had ever been the Incendiaries of Popish Cities, I would not however withdraw from the Communion of the Church of *England*, till I saw such *Tenet* of those Divines publicly branded, and till such Writing had received the usage that the *Canon Law* had from *Luther*, when he cast it into the Flames ; I plainly told him that I would : and the like he said he was inclined to as to Communion with the Church of *Rome*, if he found that the Fact of that fiery *Tenet* against Heretical Cities, was chargeable on the *Pope* in his

his Law and in the Writers thereupon as aforesaid. And as little Credit as I wish all *Mushroom* Prophets and Prophecies may find, I am of opinion, if ever any clear discovery should happen in time to be made of that Fire having proceeded from the Councils of great numbers of *Jesuites*, *Friars*, or other *Papists*, (a thing I never Expect) that Popery would thereby be loaded with such a lasting general *Odium* here and in Forraign Countries both Popish and Protestant, as it would hardly breath under the weight of, and the *Prophets* of the effects of the Year 1666, would cry that their *predictions* did hit right, and boldly say to us their upbraiders, that 66 in its effects is not yet past, just like the *Sooth-sayer* who being rallied by *Cæsar* going to the Senate-House, and saying, *the Ides of March were come*, replied to him, that *they were not passed*.

There is another happy effect, I expect from the grown and growing numbers of our populous Nation, and all mens errors, being necessarily the more visible to each other by their close Vicinage, namely, that men will be ashamed to aggravate the supposed Political Errors of the Ministers of our Princes as formerly, and much more not to take it patiently when their Princes pardon them.

How shameful a thing was it that the Kings *Pardon* was not allowed as good, by the *Lords and Commons*, to Arch-Bishop *Laud*, when nothing but that could save them from the danger of the Laws, for taking away any mans life by Ordinance of Parliament.

But so sharp and perfect a hater is your *Lordship* of all Cruel and Arbitrary Practices, that I think I have heard you say, that you have often wondered why none ever moved in the House of Lords, that the Proceedings there against Arch-Bishop *Laud* might be took out of their *Journal*, as well as those against the Earl of *Strafford* were, which was to me an Indication that you would have consented to such a Motion.

Mr. Fox in his *Book of Martyrs* in one Volume, p. 1085. in the *Story of the life and death of the Lord Cromwel* (who was *Vice-Gerent* to Harry the 8th, for *Ecclesiastical Affairs*) brings many instances of the cruel injustice by Acts of *Attainder*, that many Great and Excellent Men suffered: and hath these words in the Margent, *Examples of men fallly Accused and Judged*, and saith in that p. *Not that I here speak or mean against the High Courts of Parliament of this our Realm, &c. to whom I always attribute their due Reverence and Authority: but as it happens sometimes in General Councils, which tho they be never so general, yet sometimes they may and do erre, so they that say Princes and Parliaments may be misinformed sometimes by some Sinister Heads in matters Civil and Politick, do not therein derogate or impair the High Estate of Parliaments, but rather give wholesome Admonitions to Princes and Parliament Men, to be more Circumspect and Vigilant what Council they shall admit, and what Witnesses they do Credit.*

This passage out of our pious *Martyrologer* makes me with a just Compassion to the Merits of several Illustrious Persons, to call to mind the severity of the *Votes* of a Loyal Parliament against them.

It was with great precaution and solemnity, that the *Athenian* Wisdom fastened the name of *Enemy* on any one; and of which the frequent imposition and on slight occasions, and on persons not known to have done any Act of *Hostility* to the Kingdom, would make the word lose the *Odium* of its signification, as many Words and Phrases have done, and to import no more stated hatred or enmity in any man to his Country, than do the expressions of Course put into *Writs of Prohibition*, or *Mandamuses*, to our *Bishops* and their *Officials*, viz. *Of intending our disherison, or machinating against our Crown and Dignity*, mean

any thing of Treason in them which yet the words so expressly import.

Tully tells us in his *Offices*, that the Original use of the Word *Hostis*, for one who was *perduellis*, came from the lenity of the *Romans*: *hostis enim* (saith he) *apud majores nostros is dicebatur quem nunc peregrinum dicimus*: and according to this acception of the Word *Enemy* for *Stranger*, I shall venture to say that I think they were *Strangers* to the *Earl of Halifax*, and persons misinform'd (as *Mr. Fox* his Expression was) who in the late *Loyal House of Commons* did think him to be *hostis patriæ*, and whom they who know him, do know likewise to bear no Enmity to any part of the Creation of God, and to be one that is so far from any inclination to injure his Country for his Prince, that either or his Prince or his Country he would not injure the most abject Member of Mankind.

How shamefully void of sense have I observed some few querulous people here to be, who have professed to doubt that a very honourable man hath of late remitted somewhat of his fervour, in the defence of our Religion and Laws, who hath so long on every occasion in every place been such an unwearied *Agonist* for both, and one who would not fear to be an *Athanasius contra mundum*, whenever he should in his Province be lawfully called to be its *Antagonist*; and that with contempt too even of the *Bribe* of Popularity: and of the continuance of whose confirm'd and obstinate habit of an Heroical Love to his Country, they who have long known him have never doubted, but have agreed in this point of his perseverance in what *Tully* calls the *pietas in patriam*, to pronounce as the warier *Arminians* do concerning *Grace*, viz. that there is a State of *Grace* attainable in this life, from which it is difficult if not impossible to fall away.

With as little Art and faint Colours as I have here drawn the Picture of this Great Man, any one will say it is very like the *Earl of Radnor*: and the truth is, considering that this same *pietas in patriam*, and the inflexible observation of Justice, have not been so much incarnate in the lives of later Christians, as of ancient Heathens, nor perhaps so legible in their Writings, (and therefore as if that *Practice of Piety* had been too among *Panciro's Res deperditæ*, *Boccaline* held it a proper Advertisement, *That all the Princes of the World should beseech Apollo, that he would insert into their People the love of their Country*) when I would occasionally in discourse do Justice to this Great Exemplar of it, I endeavour to whet my imagination with thoughts out of the *Roman* Authors, and do think of *Contumacy* in *Vertue* (according to *Pliny's* using that word in a good sense) and of the *inexplebilis virtutis veræque laudis homo*, and of the forementioned sooner making *Crimen honestum, quam turpem Catonem*, and of the *multa & terribilia Piso Contempsit, dum speciosum mentis suæ flecti non vult rigorem*, and of what is in *Valerius Maximus* of *Scipio Africanus, quem Dii immortales nasci voluerunt ut esset in quo se virtus per omnes numeros hominibus efficaciter ostenderet*, and of *Cicero's* accounting the *pietas in patriam* to be the *via ad Cælum*.

Some here who Correspond with Sir *W. J.* asking me if I had not heard that you were prayed for at *Mass* in *Ireland*, I told them I had, and that the *Earl of Essex* mentioned the same in the *House of Lords*, and that your Lordship replied, that if any well meaning *Papists* in their *Mass-house*, or *Jews* in their *Synagogue*, or *Mahumetans* in their *Mosc* unask'd and unsought to, pray'd for you, you would be glad to be the better by their Devotion, tho yet you believed that none of them did ever, yet supplicate Heaven in your behalf. I told my friends here that if that thing had been true (and tho on the account of what hath been beforementioned, I believed it

it not to be so in the least) yet they would soon cease to infer thence that your Lordships love for the Protestant Religion was diminished, if they would reflect on the Case of *Rawlins White* in the *Acts and Monuments*, where it appears that the Bishop of *Landaff* in the Year 1555. just before he Condemned the said *Rawlins* to the Fire as an *Heretick*, ordered a *Priest* to say a *Mass* for him: and as that Bishop in vain Courting him a little before, to abandon the Protestant Faith, and then asking him *how he d d, and how he found himself inclined*, the poor Captive replied, *Rawlins you l st me, and Rawlins you find me, and Rawlins I will continue*; that thus constant your Lordship will prove to your Religion and your self, upon any thing that can happen; and that whoever shall write the Story of your Lordships life after you have finished your Mortality, will have cause to say of you as Mr. *Fox* p 411. mentions, that one who writes of *Wickliff* recorded of him that he persevered in his Religion, *ita ut cano placeret quod Juveni complacbat*, that the same thing pleased him in his old Age, which did in his youth.

Nor do I indeed doubt but that when your Lordship shall be upon your passage to the other World, you will take your long leave of your friends in the *Style* with which Dr. *Holland* the *Regius Professor* of Divinity at *Oxford* was observed commonly to bid his friends farewel, viz. *Commendo vos amoris Dei & odio Papatus*; and that your Lordship who hath been so successful an *Agonist* against Popery, will share in the Glories of that Promise from Heaven, *To him that overcomes will I give the Morning Star*: and that as the Morning Star is the same with the Evening one, and in the Morning is call'd *Phosphorus*, and in the Evening *Hesperugo*, so the Protestant Religion will appear in the Evening of your Life, with the same brightness that it did in the Morning thereof, and so continue till you shall arrive at that Region, where *all the Morning Stars sang together, and all the Sons of God shew'd for joy*.

How unreasonably rigid are they who when the *Ministers* of Princes are studying and procuring the ease of Mankind, as your Lordship hath done, will in spite of fate disquiet themselves in rendring the lives of such Ministers uneasy; a temper that I think shewed it self over much in a late *Speech* in the *House of Commons*, of Sir *W. J.* who, if my Information be true, did not reverently use the power of his Popularity, when with much Acrimony reflecting on some in the *Kings Council*, he was supposed to have aimed at your Lordship in words to this effect, *There is another in the Council a Noble Man too among the Kings Ministers, and a Lawyer, but if we cannot reach him, do not impeach him*; intimating that he would have been glad of any being able with Articles and Proofs concludent, to have reached your Lordship in order to Impeachment.

There is another Honourable Person who is your Collegue in the *King's Council*, a Great Man and a *Lawyer* too, whom I was sorry to find by the printed *Votes* of the *House of Commons* that were sent into the Country, so many persons were endeavouring to reach with matter of Impeachment, I mean, my Lord Chief Justice North. It seem'd to me a thing worthy the name of *News*, that the advising and assisting in the drawing up and passing a Proclamation against Tumultuous Petitions, should be thought a sufficient ground to proceed upon to an Impeachment against him for high Crimes and Misdemeanors.

The security and quiet of Kings and their People are to be so tenderly regarded, that the drawing one Proclamation after another to prevent the blowing or breathing in the Kings Face (I allude to the words in one of the Articles against *Woolsey*) by Tumultuous Petitioners (a thing punishable

punishable at *Common-Law*, and likewise by the severity of the *Council-Board*) seems strangely imputed as a Crime to a Judge and Privy Councillor.

The People petitioning in Multitudes are so far from being like the *Horse* not knowing his own strength, that their coming in such numbers shews they have *Calculated it*, and perhaps with more nicety than the Author of the Discourse before the *Royal Society*, concerning the use of *Duplicate Proportion* had Calculated the strength of *Animals*, the which strength he saith, is as the square roots of their weights and substance, and if 1728 Mice were equiponderate to one Horse, the said Horse is but $\frac{1}{16}$ part as strong as all the said Mice; and so might easily strip the Horses Neck of the Thunder that God and Nature (according to *Jobs* expression) have cloathed it with; and their petitioning in numbers being a real Proclamation of their power, it was the part of so good a Councillor of State, and Mathematician to advise his Prince and his Country not to be taken in a Trap by the Petitioning Mice: and it was worthy of so knowing a Judge, to forewarn them of being entrapped by the Law, and as the *Millenary* Petitioners were forewarn'd in King *James* his time.

What occasioned the *Proclamation* referred to by the *House of Commons*, I know not; but by what I have observed of his accurateness in the administration of Justice in his great *Sphere*, and of his Mathematical *Genius* even not receding from it self while on the Tribunal he in every Cause demonstrates the rationality of the Laws of *England*, and makes Justice there in its Arithmetical and Geometrical proportion so visible to all, and by what I have seen of the serenity of his temper in having had once or twice the honour of his Conversation, I believe that as a Privy Councillor he would too as much occasionally assert any Legal Right the Subject hath to Petition his Prince, as he would the Right of the latter not to be illegally and with the apparent Menace of Members address'd to, a way of Petitioning that hath so often and so lately been the Prologue to the ensuing Tragedy of War.

I was very much pleased to hear how this Learned Judge, being once moved to grant a *Prohibition* to the Court Christian in a certain Cause, and that the Council fencing with Presidents *pro* and *con* that came not home to the point, his Lordship declared in words to this purpose, that in any proceeding that was against Universal Reason he would grant the *Writ*; and I think it was as proper for him as a States-man to advise a *Prohibition* in the way of a *Proclamation* against *Tumultuous Petitions*, than which nothing can be more against *Universal Reason*. But if a person who is so great a Master of that Reason, and indeed of Universal Learning, and of that part of it that deserves the name of *Real*, and whose single Learning would serve to vindicate a whole profession from *Erasmus* his Aspersions of *doctissimum genus indoctorum hominum*, and of knowing nothing of the Sense and Reason of the World beyond *Dover*, and the brightness of whose parts hath given a Lustre to the Science of the Law, and by whom if by any of this Age that may be thought possible to be done that our Great Lord *Bacon* advised King *James* to Crown his Reign with, namely, the bringing the Body of the *Common Law*, or our *jus non scriptum* into a *Digest*, I say if a person thus accomplished cannot have the skill to walk through the World free from Impeachment, it will be sufficient to make all men of Illustrious Abilities and Godlike Inclinations to do good, retire from dangerous Mankind, and not adventure to Aid Princes who are Gods Vice-Roys in the Government of the World, and to be happy in themselves without preserving it, as the first being was before he made it.

What

What a *diminution* was it to the honour of the Age, that the Popularity of Sir W. J. a person who in the florid part of his youth, appeared but an *Entree Clerk*, or one who *entred* Judgments for Attorneys, and in the greatest Figure he made in Parliament, or the Court acquired no fame by various Learning and Skill in the Politicks, or by having profoundly studied the great Book of the World, should yet as with the *Impetus* of an *Oracle* run down the great Characters of this Lord, and of your Lordship and the Earl of Halifax, that are known to the World to be so great for Loyalty and Learning, and the Comprehensive Knowledge of the present and past State of Christendom: and that after that Loyal and Learned Person, and undefatigable assertor of our Laws and Religion, Sir L. Jenkins had with great Reason and Courage in a *Speech* in the *House of Commons* against the *Exclusion Bill* affirmed, that the passing the same would be contrary to the Oaths of Allegiance and Supremacy, and Sir W. J. thereupon answering it with the *Non est hæres viventis*, he had somewhat like a general *humme* of Applause from the House, and almost as if his had been the *voice of God and not of Man*?

But on this occasion I should be unjust and too reserved to your Lordship, if I should not tell you that a Gentleman of good parts and a great Estate, a Member of that Parliament, acquainted me that he being then one of the great Admirers and Followers of Sir W. J. and frequently present with him in the most private *Cabals*, did observe him to be full of fears of the *Courts* being brought to favour the Exclusion-Bill, as supposing that the Parliament would be thereby engaged to part with great Sums of Money: and that he observed Sir W. J. and others of the *Cabal*, were at a stand in their Politicks as not knowing what steps to make next if that *Bill* had passed, and the Consideration whereof (he told me) made him not desirous to participate further in their Councils.

Thus just is it for Heaven sometimes to blind and confound and abandon good men in their Councils, when they abandon plain Principles and Dictates of Reason, and when they will not do what they know, to suffer them not to know what they do, and particularly not to know while they were so busily *founding Dominion or Empire in Grace*, that they were riding *Post to Rome* as fast as ever that *Father* of the *Trent-Council* did, who was so often employed to the Holy See to bring thence the Holy Ghost in a Cloak-bag.

It is some Consolation to your Lordship to have fellow sufferers in the Obloquy cast upon you, by the Tongue of a young Man, in a matter so remote from verisimilitude, and not worth the twice naming, and whose Person I thought not worthy the naming once, however a Loyal Parliament thought his Accusations worthy the Press: and in whose reproach that Honourable Person, and your Lordships old friend the Earl of Peterborough shared with you. But by what I have found to be the judged Character of that Lord, among the most Impartial Studiers of Men in the Age, I may justly say that the honour of the Age was a fellow sufferer with you both, by the publick Countenancing of the dirt by so obscure a hand thrown on a Person of so Noble Descent both from Father and Mother, and of so much Courage and Loyalty and Learning, and on whom his great knowledge of all History Ancient and Modern, hath so much accomplished as a States-man, and one who in his Travels in the World abroad left there such impressions of his real value on the most Critical Observers, that his Prince thought him to be the most proper Person to employ abroad as Ambassador, in negotiating the Marriage between his Royal Highness and the Princess of Modena, whereby we may yet hope for

an Heir Male to inherit the Crown of *England*; I never heard that any thing but *sham* could represent this Lord otherwise than a true Son of the Church of *England*: and having once or twice seen him *en passant* at your Lordships House, and observed the lineaments of Honesty and Honour in his looks, do think that his very face may serve to confute thousands of such Tongues as that which aspersed him. But both his Lordship and yours have likewise in that Persons Accusations, and in the greatest Circumstances of improbability, been fellow sufferers with the greatest Subject, and therefore need not be ashamed of your fate, according to what the Famous *Historian* so well said, *Post Carthaginem captam vincit neminem pudeat.*

Yet having said all this, I shall say that perhaps had it been the fortune of that Loyal Parliament to have fate longer, it might too have happened that none of your Lordships that I have named would at last have thought it *Parliamentum sine misericordia*, and that I believe you will not find any future one so, and that your Lordships who have so eminently supported the Northern *Herésie* so called, will be like the North *Magnetick* and attract a general popular love, which after all its variations will return again to you.

But 'tis high time for me to take off my hand from this Map of the Future State of *England*, that as a *Predicter* rather than a *Prophet* I have here so particularly delineated, and as one who according to what is in *St. Mathew*, *When it is Evening, say it will be fair weather, for the Sky is red, &c.* and from Natural Causes have as well as I could, discern'd the signs of the times, and what it may be a shame for any one that is a piece of a Philosopher to be wholly ignorant of, when the inspired *Prophet* tells us, that the Stork knoweth her appointed times, and the Turtle and the Crane and the Swallow observe the time of their coming, and that 'tis obvious that the Beasts of the Field as well as Birds of the Air foresee unseasonable weather, from the disposition of the Air.

Nor is it hard for any Considerer now in relation to some of the Popish and Protestant Recusants to undertake what the *Magicians, Astrologers, and Chaldeans* durst not to the King of *Babylon*, I mean to tell them what their Dream was: they dreamt to rule us still by a Nation within a Nation as the *Mamelukes* did *Ægypt*, they dreamt of Offices and like idle *Millenaries* of *Lactantius* his golden Age, when the Cliffs of the Mountains shall sweat out Honey, and the Springs and Rivers shall flow with Milk and Wine, and of a *pingue solum* that shall tire no Husbandmen, and of such a Country as *Campania* the Garden of *Italy* that shall not be called *terra del lavoro*. But I do predict that the noise of the World, and their being necessarily disturbed by the busie in whose way they stand will awaken them, and that if they will have any food to raise the vapours, that will again feed sleep in them, they must work for it, and that no Papists and Presbyterians will in their sleep cry out of *Persecution* as formerly, and that no Papist will hereafter applaud either the Justice or temper of Mr. Coleman in writing as aforesaid to the *Inter-Nuncio*, of the Execution of the Penal Laws against the Papists, and saying, *Which are so insupportable that 'tis impossible any that is reach'd by them to have wherewithal to eat Bread, if they be executed according to the said Proclamation.*

Nor I believe will such Complaining be heard in our Streets from any of the Non-Conformist Divines, as I have read in Print from one Learned Divine of them, viz. some of the ejected Ministers are so reduced and find so little succour, that they live upon brown Bread and Water, some have died through the effects of want, we will be thankful to be under no severer usage than

than Colliers and Barge-men, and Sea-men, than begging Rogues and Vagabonds have.

But as among the *Augurs* of old, the *Poultreys* not eating their Meat or Bread, served as an indication that the *Roman Army* was not then to fight, so I hope that the same thing was meant by the *sullenness* of Mr. *Colemans* Augury and the others Complaint, and that both Papists and Protestants will here eat the *Bread of Quietness* with *Thanksgiving*.

And considering the great number of *Attorneys* and *Sollicitors* and *Dealers* towards the Law, that hath long over-spread the Land, and planted in the same such a general proneness to litigation, and over-ran it so with Briars and Thorns of the Law that our Country is not more famous for our Wooll, than infamous for our so much fleecing one another, and considering how another thing hath occasionally put so many men to be skilful Masters of the *Science of Defence* with the Weapons of the Law, I mean the farming of so much of the publick Revenue, I may well predict that if such a wild probability should happen as any Princes hereafter endeavouring by any illegal Course to advance Popery, that tho good and loyal people would be *Lachrymists* to him, they would be soon apt to make all ministerially concerned therein to be *Lachrymists* to them.

Altho *England* had a King, namely, *Harry the 1st*, of whom 'tis recorded, that reforming the old and untrue measures, he made a measure after the length of his Arm, yet as we have one who hath graciously measured the Arm of his Power by the Laws, so I may safely adventure to foretel what his lawful Successors will do; and it is to this purpose in some of the most seditious Pamphlets notified in Print by the ill wishers to the next Heir to the Crown, viz. that they fear more mischief from him as Chief Favourite and Minister to his Prince, than they would from him if ever he should live to wear a Crown: for then (say they) we shall know how to be provided against him by the Course of the Law.

Nor is it to be doubted but that he who never was known to advise his Prince, to incommode any one contrary to the Law, will never employ his own power to the illegal detriment of any man. During this time that his Prince hath so justly placed so much of the Royal Favour on him, may he not as to his administration thereof say with the same Justice as the great Prophet, *Whose Ox or Ass have I taken?* May it not be asked whom of the mad sort of Cattle that with an infinity of Calumnies and Shams gored his reputation, or wild Asses that kick'd at the same, did he hurt with power or yet take the fair advantage of the Law against, till his many loyal friends who were secret true *Lachrymists*, for the publick false misreports spread against him, did importune him so for the Kingdoms good to defend his honour, and that they might no more be punished by seeing the limbs of his reputation lie torn and mangled in every Coffee-house, who had so often exposed those of his Body to Bullets and Chain-shot in Sea Fights, for the saving the life and honour of their Country?

Those therefore that could in earnest write to the effect abovemention'd in such seditious Pamphlets, let them talk or look as gravely as they will, I shall yet think but in jest while at other times they are amusing any with questions about their being *Lachrymists* under such a Prince; and they put me in mind of a famous *Musician* we had in the Court in King *James's* time, Dr. *John Dowland*, who printed a Book of Songs and Pavans for the Lute with the Title of *Lachrymæ*, and Dedicated it to Queen *Anne*, and in the Table of the Book, several of them are thus remarked, viz. *Lachrymæ antiquæ*, *Lachrymæ gementes*, *Lachrymæ veræ*, and he observes there in the Epistle what is obvious enough that Tears are not always shed

in sorrow, but sometimes in joy and gladness. But there is another thing of more weight that occurs to my thoughts from the remembring that Mr. Henry Peacham in his *Book*, called the *Compleat Gentleman*, doth on the name of this Lutineſt *Johannes Dowlandus*, beſtow the *Anagram*, *annos ludendo hauſi*, and that is, that many in ſeveral Parliaments who thought they could do no right to Proteſtancy but by doing wrong to the next Heir, did too much and too long play with the *Royal Offers*, and when they might (if they pleaſed) have effected as quick a prevention of the growth of Popery under any *Roman Catholick Succeſſor*, as was took care of in *Scotland*.

Yet however I have ſaid enough for my continuing to think that as in that Kingdom, there are few or none that fear that the belief of Popery can ever there gain much ground, and ever be the Paramount Religion there, and who think not that the words of *ariſe Peter kill and eat*, will ſooner bring the *Scots* to eat Hogs Fleſh, and believe there is a *Divine Right* for their ſo doing (*St. Peters Sheet* from Heaven in the Viſion having had that *Animal* in it) than to ſwallow the belief of Popery, or of the *Jure-Divinity* of the Pope, ſo the fears of its growth in *England*, or of any occaſion for the Virtue of the *Lachrymæ antiquæ* of the Primitive Chriſtians will daily grow more and more moderate, and in time be extinguished.

The late Arch-Biſhop of *St. Andrews* eſtimated the number of *Papiſts* and their Children in *Scotland*, to be but about a *thouſand*: but their number in the *States* of the *United Provinces* is vaſtly more, inſomuch that the ingenious Author of the *Policy of the Clergy of France* to deſtroy the Proteſtants of that Kingdom, mentions, that there are in *Holland*, a Country of ſmall extent, ten times more *Popiſh Eccleſiaſticks* than there are *Proteſtant Miniſters* in all France, which is very large. There is a compleat Clergy and Hierarchy. *Amſterdam* and all the other great Cities have their Biſhops. Thoſe Biſhops have their Chapter and their Priests. There are even religious houſes. They are ſomewhat diſguiſed, but are as well known as the Eccleſiaſticks are in France, and are not in the leaſt aſſaulted, &c. There was one day in a Long-boat or Ship a Priest dressed in black Cloths who was not otherwiſe diſguiſed than that his Coat was ſhort, who ſaid his Breviary before a hundred perſons, with as much Liberty as he could have done in France.

And yet perhaps the number of thoſe who in *Holland* fear them, or who pretend to fear them, is but the leaſt of numbers.

I think too in this ſharp fought age, where Art among the Inquiſitive follows Nature as carefully as Equity doth Law, one may ſafely predict that in the Dividend of our time little will come to the ſhare of *Metaphyſicks*, or the conſidering how *Metaphyſica agit de iis quæ ſunt ſupra naturam*, and that the World being infinitely buſie will not trouble it ſelf with *Arriagàs inſnritum inſnrito inſnritius*: and Chriſtendom's being univerſally employed in preparing its defence againſt War, and giving us time only for real Learning will divert us from either much oppoſing or defending the old point, whether *Univerſale be ens reale*, or whether *Univerſalia* are *res extra ſingularia*. If by *Metaphyſicks* we could find a real Answer to the Queſtion, *what is truth*, or what is time, of which it hath devoured ſo much, or learn how to meaſure it by knowing *what's a Clock*, we might go on with its *entitas*, which Mr. *Hobs* well englisheth, the *iſſeneſs* of a thing; but ſince it reſolves not what things are as aforeſaid, but as *Hudi-bras* ſaith, only *what is what*, I think as *Fileſac. de authorit. opiſc. c. i.* mentions, that the Council in France forbade *Ariſtotele's Metaphyſicks*, and

puniſhed

punished with Excommunication the exscribing, reading or having that Book, our time will hold little Communion hereafter with *Second Notions* of those who Trade in them, and that as it will seem very absurd to sacrifice much time to the enquiry if *Universale* is a real being, and whether *Universalia* are *res extra singulabilia*, and to sacrifice men for believing the contrary, so it will likewise seem to enquire Whether there be one *Catholick*, or *Universal* Apostolick Church existent apart from particular Churches, which sense and reason tell us are and must be many, tho the *Catholick* Church be but one, and for the want of considering which so many People have been decoyed into the Church of *Rome*.

Many are the things that an ordinary Philosopher may predict concerning *Rome*, and particularly varying from the Prophecy, that it was to be destroyed by Fire, may foretel *Romam fore luce delendam*, and as *Tully's* words are in his Book *de Naturâ Deorum*, *Opinionem Commenta delebit dies, veritatis judicia confirmabit*. And thus too it is easie to predict that the light of Reason and Experience will forever blot out here the Innovations that came from *Geneva* as well as those from *Rome*. The Jewish *Rabbins* have from the words of the *Sol Justitiæ* arising with *healing in his wings*, introduced a Proverb of *The Sun ariseth, the infirmity decreaseth*, meaning thereby that the Diseases that make Mortals groan and languish in the Night, are somewhat abated by the rising Sun: and thus the State of our Nation will be attended with greater health on the decay of *Presbytery's* Kingdom of *Darkness*.

The Walls of its *Jericho* are fallen down flat with the sound of the *Trumpets* of the *Dissenters* own Sayings, so usefully published.

Tho I have said enough to speak my opinion of all *Dissenters* to the Discipline of our Church, not owning such sanguinary Principles as are chargeable on some *Papists*, yet the *Dissenters* Sayings have proved enough what some of their Principles were. Nor can it be forgot that King *James* did very justly in the Conference at *Hampton Court*, accuse the Notes in the *Geneva Bible* to be *Seditious* and to savour of *Traiterous Conceits*, and that he instanced there in the Notes on *Exodus* 1. 19. *Where they allow of disobedience to Sovereign Kings and Princes*.

As absurd as that *Tenet* beforementioned in the *Decrets*, and there founded on the 13th of *Deuteronomy* is, I would wish no *Presbyterian* to insult over any *Papists* for it: for it is visible in no meaner a Book than the *Assemblies Annotations* on *Zechary* 13. 3. where the Father and Mother of a false Prophet are commanded to say to him *thou shalt not live*, and 'tis said, *his Father and Mother that begat him, shall thrust him through when he Prophesieth*. The Comment on the words, *Thou shalt not live* affirms, that the equity of the Law of *Deut.* 13. 6. 9. remains under the Gospel: and with less danger is a Thief, an Adulterer, a Witch tolerated than such an Heretick and Seducer. The present pleading for liberty of Conscience in Preaching and Practice is a thing extremely shameful, dangerous and destructive: and the Comment on the the words *His Father, &c.* is, *His Parents themselves shall not spare him, preferring therein their Zeal and Piety towards God before the Affection and Love which naturally they bear toward their own Children*. See *Deut.* 13. 6. 9. *No less Zeal is required under the Gospel than was under the Law*.

I pray God deliver all Mankind from the cruel rigour of the Equity (as those *Divines* term it) of that Judicial Mosaic Law binding under the Gospel: and from that kind of Zeal binding under the Gospel that did under the Law, by virtue of the 6th and 9th Verses of that Chapter, and from the 16th V. of which Chapter the Obligation for firing Heretical Cities was as well deduced by the Pope.

The Church of *England* illuminates us with better Doctrine, and our Reverend Bishop *Sanderfon* tells us in his 4th Lecture *De obligatione conscientiae*, that no Law given by *Moses* doth directly and formally, and per se bind the Conscience of a Christian, i. e. as it was given by *Moses*, for that every *Mosaic Law* as such was positive, and did oblige those only it was put upon, i. e. the Jews, and shews that the Precepts of the *Decalogue* oblige, not because *Moses* commanded them, but because of their being consentaneous to nature, and confirmed by the Gospel, and so doth manumit the Christian World from the Yoke of the *Judicial Law* that was made only for the stiff necks of Jews. *Calvin* himself on that place of *Zachary* 13. 3. doth blunder as shamefully as did our *Assembly men*: for he there makes the Penal Jewish Laws to bind under the Gospel. His words there are these, *Sequitur ergo non modo legem illam fuisse Judæis positam, quemadmodum nugantur fanatici homines, sed extenditur etiam ad nos eadem lex*, and himself was in this point the *Fanatick*, and not the contrary opinors: and deniable it is not, that several of the *Calvinistick* and *Lutheran Divines* beyond Sea did imbibed the error of *hereticidium* from the same mistaken Principle of *Monk Gratians*, namely, that the Penal severe Jewish Laws were obligatory under the Gospel: and tho no *Presbyterians* (that I know of) were here Arraigned for any design to fire our *Metropolis*, and some *Fanatical Fifth-Monarchy* men only were Arraigned, Convicted, and Executed for such a design (and whose Names I think might on that account have been properly enough engraven on the *City Monument*) yet of the out-rage of our *Presbyterians* having actually fired the Church and State with an intestine War, the whole Kingdom is a *Monument*: and where now their Principles are so seen, and seen through, that I believe any other such inhumane *Ecclesiasticks* as many of our former *Presbyterians* were, will be ashamed to appear among us. Their *Assembly* is adjourned to the Grave, and no *Divines* will (I believe) in any future Course of time find the People of *England* willing to have 4s. a day, the wages of each in the *Parliaments Synod*, allowed to them for endeavouring to bring our Consciences under the *Mosaic Pedagogy*: and the noise of the World from *Hammers* of Hereticks either in any *Presbyterian Synod* in *England*, or in any new *Popish General Council* beyond Sea, will (I believe) be utterly over.

And tho perhaps the *Centum gravamina* did heretofore cause the last pretended *General Council* to be called, I mean the Famous *Tridentine* one, I may, looking on the Course of Nature, conclude, that there will never be any *General Council* more; and that not only for that the Pope hath been *hors de page*, since the breaking up that of *Trent*, but because that having been *Revera* a Council of *Pensioners*, and having stood the Papacy for *Pensions* in 3000 *Crowns* a Month, (i. e. in 750 *l. Sterling*) and having put the Popes to that Charge during its sitting for 18 years, as it is easie to Calculate how much in pounds *Sterling* that Council cost the Popes in all, so it is as easie to foresee that if the Pope should have occasion for the fellow to that Council, he would not have that quantity of Money to spare for the same.

There is another thing that I may from the Course of Nature portend much quiet to my Prince, and happiness to my Country by, and that is the extermination of all Mercenary Loyalty, and of an inglorious *Loyalty-Trade* as well as of a Religion-Trade, and mens not thinking they are to have *Offices* or *Donatives* for not being Villains, or that by Monopolizing to themselves the name of the *Loyal*, they should expect therefore a lucrative *Monopoly*, the which would stain their Loyalty indeed, and make it as null and void as any *Monopoly*: for the word

Loyal

Loyal being used for *Lawful*, he is not *homo legalis* in one sense, who is thought to be just.

The apparent vast number of the Kings Subjects rendering them too many to hope all for *largesses*, and the too great probability of the Future State of *England* according to my Notion, requiring for the support and defence of the Government, all that to be employed in order thereunto, what giving Parliaments can well give, will make People ashamed to cling to the Royal-Oak like Ivy, and by preying on its vigour make it the less able to give shelter by its branches.

I was overjoyed with a piece of News a Gentleman sent me, namely, that he discoursing once at dinner with the Lord *Hide*, the first *Commissioner* of the *Treasury*, concerning the Insolence of some mens expecting to be rewarded by the King, for not doing mischief to his Government or Revenue, his *Lordship* occasionally mentioned somewhat to this effect, *viz.* that the Trade of such men was now broke: there will now be no more *taking off* of men as the word was: and if by his *Lordship's* Advice to his Great Master, the resolving against *taking off* of men by Pensions and Rewards, was settled as a new Fundamental Rule in the *English* Politicks, as I am informed it was, I shall think his *Lordship* deserves to find an everlasting Triumph in the *History* of the Age, and to be more honoured by *England* than if as Commander of an Army he had vanquished very many Thousands of its Enemies: for that the *taking off* of *Hydra's* Heads by Gifts (as was beforementioned) would be an endless work, and the ill effects thereof inclusive of so much Hostility to the publick, would be innumerable. But God be thanked the King by the Political Conduct of this his *Minister* is now made *Victorious* over all those *Enemies*: and if I had heard that any near his Majesty had moved for a day of *Thanksgiving* by reason hereof, I should not have wondered at it; the thing being of so great importance to *England*. And no doubt but the shame of any mens diminishing the Royal Revenue by begging from the Crown will be the greater, when the necessary improvement of our Land by our numerous People shall have enriched as many as deserve to be so, and when to all, who are industrious, there will every where be *multiplex præda in medioposita*, and the effects of diligence fill all hands with profit, and eyes with pleasure.

This is one kind of a *New Heaven* and a *New Earth*, that perhaps we may shortly see in old *England*, and when men shall by enquiries about Religion design only *lucriferous* experiments, and not *luciferous* as my Lord *Bacon's* Phrase is; and men shall improve their fortunes by the improvement and culture of the Earth: and to this effect we find the *Prophecies* of Prosperity to the *Jews* in the old Testament expressed by *the Trees yielding their fruit, and the Earth their encrease, the Seed shall be prosperous, the Vine shall give her Fruit and the Ground shall give her encrease, the Earth shall bear the Corn and the Wine and the Oyl, &c.*

And they who are now by seducers that augment wild fears and jealousies directed to look up for strange Prodigies to the Sky, will need no Monitors to behold with joy the unusual fruitfulness of the cultivated Earth: and therefore I think that one Philosopher looking on the Future State of *England* may well say to another,

Aspice venturo lætentur ut omnia sæclo.

Then shall men on the account of Profit turn their Swords to Ploughshares, and the Religion-Trading false Prophet baffled by fate, shall then say as 'tis in *Zachary*, *Non sum Propheta, agricola sum.*

I do not wonder at some mens menacing our *English* World with ill news from Fate. It is no irrational thing to suppose that the false *Prophets* in all ages did often find it turn to their private account to foretel evil rather than good to Kingdoms; for that many might hope to mend their fortunes by the publick ruines, and would therefore be well pleased with the Predictors of ill to the publick, and would celebrate the Predicters; and therefore it was not without cunning contrived that the prolation of Events by the ancient Oracles, should be in a double sense sometimes, because it might then be a moot point whether the Party of those that desired the quiet or disorder of great Bodies of People was most considerable.

The most sagacious sort of false Prophets whose chief business it was to be true to themselves (as the falsest Dice of Gamesters are most true to the users) did often choose to alarm the People with disastrous Events: and thus the *Witch* of *Endor* chose to make the *Shamm-Samuel* entertain *Saul* with the prediction of his and his Sons death the next day. But 'tis time for us to follow that great admonition of *Beware of false Prophets*, when we hear so many foretelling us, as by inspiration, of nothing but *lamentation and weeping and great mourning* in England, for the continuance of the decay of Trade, and unavoidable ruine of the Protestant Religion, and when many such deluders and counterfeit *Lachrymists* cannot (I fancy) about our weeping on this account, take their measures together without smiling, according to that Say of *Tully*, *Potest augur augurem videre & non ridere*? It is a very great saying of *Tully's* in his 2d Book *de Divinatione*, *Nam ut vere loquamur, superstitio fusa per orbem oppressit omnium fere animos, atque hominum occupavit imbecillitatem*. And as wise as *Socrates* was, yet in *Xenophon* he disputes that, ἡ Μαντικὴ, and Oracles were necessary to the preservation of Common-wealths, and *Plutarch* doth alledge experience in Confirmation thereof; and the murmuring *Jews* thought themselves ill used by Providence when the age wanted a Prophet among them, tho yet the Prophets were so frequent in denunciations of wo to them, and like Seamen they liked weather that was somewhat like a storm, rather than to lie in the World becalm'd. 'Tis said in *Psalms* 74. *There is no more any Prophet, we see not our signs*.

And as much as *Superstition* had in *Tully's* words, dashed almost all mens spirits, yet the Cheat of the *Augury* was so contrived and diversified as sometimes on occasion to heighten and enlarge them, and in effect to enlarge the Empire it self.

Augusto augurio postquam incluta condita Roma est.

But many of our *Augurs* endeavour only to enlarge our fears and jealousies, and to intimidate our spirits and to render the *Genius* of the Nation less august, and only to enlarge their own fortunes.

But the ill ominous Birds are flying away: and the many Loyal *Addresses* with which the Land re-echoes, and the avowed readiness of so many good men to serve the best of Princes with their *Lives* as well as *Fortunes* upon occasion, import the best of *Auguries* to *England*, and such an one as *Homer* mentions,

Εἰς οἷον ἁπλῶς ἀμύνεσθαι περὶ πατρίδος.

i. e. *Unum augurium est præstantissimum, pugnare pro patriâ: and to which Verse of Homer, Tully probably intended a reference when in his de senectute he said, Optimis auguriis egeri, quæ pro Reip. salute gerentur.*

Your

Your Lordship hath formerly among the great transactions of your life shewn your self a noble Adventurer, for the honour and danger that this kind of *Augury* can import, and particularly by your carrying at once your Law in your head, and your life in your hand in the sight of a Party that had been so successful with their Swords, and even to *wind-ward* of all others by inspiration, and when the Conduct of your Politicks so highly advanced your Prince's Restoration, and so much helped to effect the quashing of all the furious *Prophecies* of *Monarchy ceasing* in England.

Not without apologizing for my guilt of a solecism like his who discoursed of *War before Hanibal*, by my having so largely addressed my Sentiments of the Future State of *England* to such an *Oracle* as your Lordship, I must at last say,

Non ego sum Vates, sed prisci conscius ævi, &c.

and have only taken my measures from natural Causes, and judging of things to come by what have been, and by nature's most firm Constancy to it self, and things not being ill administrable; and at this rate can further very safely predict that according to *Juvenal*,

Nunquam aliud natura, aliud sapientia dicet.

And moreover I have in my predictions of the Future State of *England* interspersed many Remarks that may be directive, and naturally tend to enrich the Land and advance its Trade and Industry; and thus I do account that our Writers of *Almanacks* do some way compensate the loss of Peoples time employed in regarding how they turn the hand of the Lottery of Fate round the World, and foretel various Revolutions and Events here at home and abroad, by their likewise telling them in what *Months* to set Quick-sets and Fruit and Timber-Trees, dig Gardens, fell Timber, uncover the Roots of Trees, and to trim all sorts of Fruit-trees from Moss, Canker, and superfluous Branches, when to transplant Trees and when to remove Grafts or young Trees, and when to sow all manner of Garden Seeds and Herbs, when to sow Wheat, and to sow Hemp and Flax, and by raising in them rational expectations of the Future State of the Earth meliorated by its Culture.

My Lord, according to the common connexion of thoughts, it here comes in my way to think that it is usual in the Scripture and in several Books, to express the sense of placing *Notions* and *Tenets* and *Doctrines* in the World, by the Terms of *Seeds* and *Plants*, and the spreading of the same by the growth encrease and propagation of *Plants*, and the ceasing of them by the Terms of *decrease*, *withering* or *extirpation*. Our Saviour's Parables of the *Sower*, and some *Seeds falling by the way side* and being devoured by the *Fowls*, and some falling upon *stony places* where they had not much *Earth*, and forthwith springing up because they had no deepness of *Earth*, and being scorched when the *Sun* was up, and because they had not root withering away, and his Indication of false *Prophets* by the similitude of *Trees*, and knowing them by their *Fruit*, and his reference to false *Doctrines*, when he saith, *That every Plant which my heavenly Father hath not planted shall be rooted up*, and his expression of false Religionary *Notions* by *Tares* in the *Parable*, are known to all conversant with their *English Bibles*, as is likewise his resembling himself to the *Vine*, and his Father to the *Husbandman*, and his saying, that every *Branch* in me that beareth not *Fruit* he taketh away, and *St. Paul's* calling the Church *God's Husbandry*, and when

he tells the *Corinthians* of his *Planting* and *Apollos* his *watering*.

And we have heard enough of a *Collegium de propaganda fide*, among the *Romanists*, and their many laboured points *De extirpandis hæreticis*, and of the *Exterminium Hæreticorum* : and of their Arts to extirpate whatsoever Religious Notions they are pleased to call Heretical, and of Nature in this Realm having extirpated those Arts : and we know how naturally Protestantism did shoot up again in this our Soyle under Queen *Elizabeth's* Reign, after its being cut down near the Ground in Queen *Mary's* : *Quippe solo natura subest* : and accordingly *Job* regarding the Nature of the Soyle saith, *There is hope of a Tree if it be cut down that it will sprout again, and that the tender Branch thereof will not cease, tho the Root thereof wax old in the Earth, and the Stock thereof die in the Ground, yet through the Scent of Water it will bud and bring forth Boughs like a Plant* : and the hand of the God of Nature kept her hands from extirpating it : and the irrigation of Nature wrought more powerfully than her fies, and the *Scent of Water* made Sagacious, Loyal Protestants with their *Lachrymæ veræ* and *lachrymæ antiquæ* presage the growth of Protestantism : but as our Laws now are and likely forever to be, Protestants here may not only take their measures of the natural duration of their Religion, from the similitude of the sublime Prophet, viz. *as the days of a Tree are the days of my People*, but from the stability of the *Lex terræ* and the very Earth.

I have before spoke of the Papal Power ending in *England* under *Harry* the 8th, *per simplicem desinentiam*, and by the power of Nature : and without the Midwifery of the trouble of his Conscience, or any Artifice in troubling the *Divines* and *Academies* of Christendom about his Marriage with his Brothers Relict, the birth of Fate would by necessity of Nature have (I think) happen'd as it did. Alas ! His Marrying her, who had been his Brothers Wife, was only against the *Judicial* Law of the *Jews*, and I am sure was not against the Law of Nature, as all granting the Law of Nature to be indispensable, and the necessity of *Cain* and *Abel* Marrying their own Sisters, and Gods Commanding them to *increase and multiply*, and God's calling *Sara Abraham's* Wife, who yet was his Sister, (when as that Matrimonial Contract if it had been against Nature had been null) and granting likewise that God, who never commanded any thing against the Law of Nature, did yet in the *Levitical* Law Command a Brother to take his Brothers Wife to Marry her, and to *raise up Seed to his Brother*, must grant : I therefore concluded, that without *Harry* the 8th either having any Conscience or any Trouble in it, the weakest pretence in the strong hand of Nature would have been an effectual Weapon, to have then beat down the Papal Power in *England*, It was Nature that did, as I may say, *raise up that strong Seed* at that time both in *England* and *Germany* and elsewhere, that ended in the Divorce of *England*, and many Territories from the Papal Power.

And to resume the Comparison of the *Seed of Plants*, 'tis obvious to us to consider that while our Ships Royal were formerly made of the *Oaks* in our *Forests* that were generally *self-sown*, that is, such as sprang from Acorns dropping from Trees, or that Birds in their flights let fall, it may be said that those materials for rearing the Walls of the Kingdom, were themselves reared by the hand of Nature, and that those Seeds falling in a Soyle proper for them, and by the Forest Laws guarded at first from the feet of Men or Beasts, and by the Autumnal Rains naturally beaten into the Earth, and defended by the procerity of many other Trees from the injuries of the Wind and Sun, were by the *Husbandry* of the God of Na-
ture

ture brought within the high *Style* of *Arbores Dei*, as the *Psalmist's* expression is. And moreover while it many times happens, that we see one Timber Tree grow out of the Body of another, and particularly an Oak out of a Beech (and which may be well supposed to have so happened from an *Acorn* dropt by a Bird into the hollow part of a decaying Beech) and there meeting with a reception from the putrid parts of the Beech, and the Rain there furthering its passage downward, and the Dews there watering it from Heaven, and the Beech fencing it conveniently from the Wind and Sun, the Stem of an Oak doth there naturally shoot up, and as naturally pierce its way for its strong Branches through the sides of the Beech, and work its Root into the ground through the Root of that Tree, and in time causeth it as certainly to be thrust out of Nature as it could have been by any extirpation; and when a decaying Oak is thus powerfully vanquished by the Seed of a less famous Tree, (as to this purpose we are told by Mr. Evelyn in his excellent Discourse of *Forest Trees*, that persons of undoubted truth have asserted it, that they have seen a Tree cut in the middle whose heart was Ash-wood and the exterior part Oak) we may justly say that Nature did produce all these effects. And the Energy of nature thus casually causing one Tree to penetrate through another into the Earth, and there without noise forever to displace it, is as perfectly applicable to Religious Tenets and Doctrines: and thus (as I may with a running view observe) the Seed of the Christian Religion, being (tho from some mean and obscure hands) dropt on the decaying great Trees of *Judaism* and *Paganism*, presently wrought it self through their Bodies and Roots; and afterward the nobleness of the temper of the Primitive Christianity decaying in the World, that Religion, whose heart of Oak had lasted so long, and outbraved all the Storms of Persecution, was yet pierced through by *Arrianism*: and *Arrius* perplexing the simplicity of the Christian Religion with such Intrigues of vain Philosophy, that instead of converting mens hearts turned their brains, and even *Constantine's* own (as appeared by his banishing *Athanasius*, and then recalling, and then banishing him again) and when the Christian Divines vexed every vein of his heart more than they did *Julian's*, and very laudably in his Council of *Nice* presented him with *Lampoons* one against another, and Christianity so soon proving top heavy when 'twas made the State Religion of the World, and *Athanasius* himself was at length the only sober Party, and when the *Arrians* happened to be the first Christians that persecuted men for Religious Tenets, (and as *Grotius* in his *De Jure belli*, l. 2. c. 20. tells us, *In Arrianam hæresin acriter invehitur Athanasius, quod prima in contradicentes usa esset Judicium potestate, & quos non potuit verbis inducere, eos vi, plagis, verberibusque ad se pertrahere anniteretur*, and did bastinado People into Conversion) and when the Orthodox Christians had groaned longer under the *Arrian* Persecution, than they had done under the *Pagan*, and when the Christian Religion whose Precepts do so nobly transcend the Morality of all others, did shortly after appear in the World with such a Figure of a Dotard Tree as gave *Salvian* cause to exclaim, *Præter paucissimos quosdam, qui mala fugiunt, quid est aliud omnis cætus Christianorum quam sentina vitiorum*, it was but congruous to nature that those rapacious Birds of prey the *Mahumetans*, dropping the Seed of their new invented Religion on the Christian as decayed by *Arrianism*, that it should so soon work it self through all its parts and roots in *Asia* and *Africk*, and that the *Crescent* there should so powerfully drive away the Cross. And thus too, when *Italy* was over-run with the barbarous Nations partly of the *Pagan*, and partly of the *Arrian* Belief, *Paganism* and *Arrianism* being then Dotard

Trees

Trees in the World, the Seed of the Christian Doctrine falling on them from the Pious and Learned hands of *Gregory the Great*, did easily work through them, and for the Conversion of them, and likewise of our *English Nation*, about the Year 600 from Heathenish Idolatry, the greatest Celebrations are due to him: and no wonder if the Papacy then yielding so good Fruit, did then cast so venerable a shade in the World. But that Tree afterward being observed to degenerate and decay, within Six Years (as the general Observation of our *Apocalyptick Men* is, (*Valeat quantum valere possit*) and who thus tells us of the *ætates Antichristi*, viz. *Nascentis in Bonifacio circa Ann. 606; Juveniliter exultantis in 2. Consilio Nicæno, Anno. 787. Regnantis in Hildebrando & successoribus post An. 1075. Triumphantis in Leone Decimo, Ann. 1517. Ultima senescentis est:* and say, that shortly after it began to be consumptive,) and the decays of it being obvious to the view of the gazing World, and the Branches of the *Lutheran* and *Calvinistick* Tenets appearing through its sides, the quiet and gentle Order of *Capuchins* was invented for the praying for its growth and flourishing in the Year 1530. and ten years afterward the Active Fiery Order of the *Jesuites* was invented to extirpate the Men that wished ill to its growth, and after that the Fathers of the Oratory were set up to extoll and preach up the Tree, but Nature would not be extirpated: the Potent Seminal Virtue of the Rational Religion dropt on the Tree of the other, hath passed its roots through and through, and (as I may say) transubstantiated it self through them, and rooted it self deep both into the intellectual World, and into States and Kingdoms and their Laws, and will in time probably leave not one *Fibre* or *Capillamentum* of the Roots of the Irreligious part of the Tenets of Popery remaining in Nature: and shew the World that the *Schisma Anglicanum* that *Sanders* and other Papists cry out of as so unnatural, was a mere natural *Scissure* or *Rupture* of the parts of the decaying Tree of the Church of *Rome*, that came to pass from the Seed of the Protestant Religion being cast thereon.

And such a Natural *Scissure* hath the Religion of the Church of *England* made through the sides and roots of Protestant Recusancy: and the Seeds that by the hands of Non-conformists, probably guided by *Jesuites*, have been laid on the Royal-Oak of the Church of *England*, which they vainly thought decay'd, were in effect thrown away: and as the old *Prophetic Fiction* represents it, that every great Tree included a certain *Tutelar Genius* and still living with it, it may be said that Nature it self is the *Tutelar Genius* of that *Plant of Renown*, that (according to the Scripture expression) we may call the Church of *England*, and will ever live with it.

The Numbers of our Non-conformists are daily decaying, and the names of their Tenets will probably be in a short time forgotten.

We are told in *Townsend's Collections* that *Sir Walter Raleigh* mention'd it in one of the Parliaments of *Queen Elizabeth*, viz. in *Anno 1593*. That there were then near 20000 *Brownists* in *England*: a number somewhat near as great as that of the Papists to be estimated from the *Bishops Survey*. The name of those *Schismatics* is evaporated, and their Tenets are not more known or enquired into by the *Populace*, then are the *Hereties* of the *Bardeisanistæ*, the *Aquei*, the *Abelonitæ*, the *Messaliani*, and some others.

As was remarked concerning the late Non-Conforming *Divines* not having bred up their Sons to Non-Conformity; the same thing is much observable among the Lay-Dissenters, and that their Children do not generally imbibe their Parents principle of Dissentership; but rather the contrary.

trary. The *Gross* of their Numbers always consisting chiefly of *Artisans* and Retail-Traders in Corporations, (where before the King's Restoration they were numerous) and naturally hating Popery and its Parade of Ceremonies, cannot but be sensible of the sharp hatred against the same in the Professors of the Religion of the Church of *England*, as by Law Established; and how vastly such Professors do every where over-shoot the Dissenters in numbers: and how the Seed of the Church of *England* hath as naturally and with as much ease pierced through the Body of theirs and dissolved its Roots, as doth the Seed of an Oak often growing in the Body of a decayed Willow.

The times were known in the *Reigns* of Queen *Elizabeth*, King *James*, and King *Charles* the first, and likewise since, (till within these late years) that some *States-men* when their Court-Interest was decaying and in danger of *Extirpation*, could, by wheedling Dissenters into a belief that they would plant their persuasion in the Church, plant themselves the better in the State: but (*humanly speaking*) such Conjunctions of time will come here no more: and the seeming *Eradication* of such a *Religion-Trade* in Church and State, is a strong Indication, *That our Heavenly Father* or (as I may say) the God of *Nature* never planted it.

But if there were no Laws in being to *extirpate* any Dissenters *Schism*, or separation from our Church, or to Mult or Excommunicate the obstinate Separaters, or if any of those Laws were never Executed (as through the vigilance of our Magistrates they have been) yet is there one apparent way whereby the Conformists to the Church of *England* could now as easily lessen their numbers, and consequently extirpate their Potency every where, as they can frame a thought or resolution to do it, and by no other Engine than that with which our Universities of *Oxford* and *Cambridge* batter the *Contumacy* of particular *Towns-men*, namely, not by *Excommunicating*, but by *discommuning* them, that is to say, by forbidding the *Scholars* to Trade with them.

Their own forbearance of buying from Conformists the Wares that those of their own *Sett* do sell, may reasonably invite such a retaliation. While heretofore they were so numerous in *England*, their Congregated Churches helped many of the mean Artists and poor Traders thereof, with the pretence of Liberty of Conscience to force a Trade by Combination among themselves: and their doing it then turn'd to some account; but would now be altogether insignificant in this *wane* of their Numbers.

And thus without sweat or blood, or one *Information* brought on Penal Statutes, or the least occasion or colour for their *Out-cry* of *Persecution*, may the many *Millions* of Conformists here humble the Comparative *handful* of Popish and Protestant Recusants both in Corporations, and out of them too when they please, and in effect reduce them to the Condition the many *Empericks* in our Land would be in, if they only sold *Physick* to one another.

I affect not to be a *Propounder* of any new Law, or of the execution of any old that may give the least Addition of trouble to any Member of the Realm, whose Principles and Practices are not justly suspected to threaten the disturbance of the whole: and my being informed by some of my Correspondents, who are very impartial observers of things, that many of the *Dissenters* of this Age have made the Press send forth several of the Antimonarchical Principles of the former, and as if they designed to revive its Rebellion, and that tho the same *Laws* that have secured our Religion, have likewise secured the Power of the *Militia* solely to the King, and Enacted,

that it is not lawful on any pretence to take up Arms, &c. yet that the Government is justly apprehensive of many Dissenters and their Pastors, owning the former Doctrine of *Resistance*, I could wish (as I did in behalf of the Papists) that they would themselves offer to his Majesty's Consideration such a way of a *Test* or Assurance of their being become *sound parts of the State*, and that they aim at no power of disturbing it; and as to his Royal Wisdom may appear substantial and satisfactory till they do so I wish that not only the Magistracy but all private loyal persons would have such a regardful eye on them as is had in Foreign parts on those that come for *Prattique* from infected places, and bring no *Letters of Health*, and that they would have *Prattique* or Commerce with such of them: which would soon enforce them to *live by themselves*.

I have in this Discourse already acknowledged it to your Lordships just praise, that you are not of too narrow a Spirit or Principles as to Protestant Dissenters, as supposing that you had such Sentiments of the usage fit to be afforded to some of them, that our Learned Bishop of Winchester own'd in a Letter to your Lordship, which you once shewed me: and I was as ready to be their Excusator as any of the Church of England could be till I saw their ingratitude so instrumental in Cancelling the *Declaration of Indulgence*: and still out of a natural inclination do, as I said in the Case of the Papists, wish them all that share of the Royal Favour that would not undo themselves and others: and (as I said in the Case of the Papists) do suppose the continuance of the old Laws against Protestant Recusants necessary in this Conjunction, that the King in whom the Executive Power of the Laws is lodged, may sharpen the edge against any one of the Party that should be an aggressor against the Peace of the Kingdom, and especially considering how often many of the Puritans have took the advantage of the publick pressures of the Crown in former Ages, and that while it was in *procinctu* to withstand a Foreign Invasion. My Lord Keeper Puckering's Observation of their Temper expressed in his memorable Speech is known to all: and the present apprehensions in the Government of danger from Dissenters, have sufficiently evinced the Prudence of his Majesty's Measures in not repealing the Penal Clauses in our Statutes against Protestant Recusants. When they who were regarded as *weak Brethren*, do now *fortiter Calumniari* and Libel the Government, and call whom they will *Julian*, 'tis necessary that the Prince by having the power of the Penal Laws in his hand, should be able to discriminate those who have not yet discriminated themselves: and in the Case of Persons stupid and perverse, 'tis fitter that Children should be Lachrymists than old men.

When the Divines of the Church of England have of late from one end of the Land to the other alarmed the People with Exhortations against *Disloyalty*, as loud as those in a late Conjunction against Popery, and the King's Ministers were informed of the *Altum silentium*, in the Conventicles as to any making the English Bibles there support the Rights of our English Kings, and that the Julians there were Apostates from the Principles of the Non-Conformists in King James's time, and had forgot how Reynolds, Whitaker, Cartwright, Dod, Traverser, &c. had in their Writings disowned the assigning it as a Cause of the Primitive Obedience, *Quia deerant vires*, and that a new Sect of false weak Brethren had learned to urge the *deerant vires*, 'twas time for the King to keep the strength of the old Laws in his hands, and occasionally to arm them against the petulant insolence of any Seditious Protestant or Popish Recusants.

I have been far from recommending in this *Discourse* the *Exterminium hæreticorum*, or *Extirpation* of any *Recusants*: but have endeavoured with the sedateness requisite in a Philosophical or Political Disquisition, to give my Judgment of the Natural Causes that induce me to expect the *Extermination* only of things, or Principles Relionary, and indeed to speak more properly, of that *part* of Mens Principles only that is *irreligionary* and against Nature, and to expect such parts being *luce delenda*.

I expect not that all the Debates of the *Religionary* part of *Presbytery* should here among all men cease, tho yet I have conjectured that they who should write professedly of that Subject here would want Readers, and as I believe too Discourers of the *Latitudinarian Hypothesis* would likewise: and do think that many little Religionary Speculative Notions about the meaning of some obscure passages in *Scripture* may to some of our Dissenters seem great, and employ their time in Debates, and as when the famous *Ainsworth* and *Broughton* heretofore had before their Congregations of Dissenters who went hence to *Holland* many and fierce disputes about the Controvesie, whether Aarons ephod were blew or Sea-green, a Controvesie that puzzled all the Dyers of *Amsterdam*, (as *Fuller* says of it in his *Church History*) as well as it did our separatists there, that took so much pains to be therein illuminated, and which I think the light of a Farthing Candle brought in any night among them, might have easily settled (or as I may say deleted) in regard that blew and yellow making a green, the yellow of the flame of the Candle would have made what appeared blew by day, to have seem'd green at night, and prevented their further *Anathematizing* one another as Schismatics about the same.

And as I beforementioned it out of a late Book of a *Divine* of the Church of *England*, that some of the Religionary parts of Popery he instanceth in, viz. *Invocation of Saints*, *Transubstantiation*, *Purgatory*, are and will be learnedly and voluminously defended to the Worlds end, I believe the same may be so in Popish Countries abroad, and that the same will be believed by many Persons here, tho yet the voluminous discussion of the same hath long been (and is like to be) out of fashion here, and reflections on the same *en passant*, or only in short *Treatises* may be thought by our *Divines* sufficient to guide their *Auditors* from mistakes therein, and effectually to confute: and I believe that our *English Church* will never be troubled with the growth of the Doctrine of *Transubstantiation* under any Prince, we may have who shall believe it, nor of the Doctrine of *Consubstantiation* under any Prince of the *Lutheran* perswasion, nor of *Calvin's horrendum decretum* relating to reprobation (as 'tis call'd) under any Prince that may believe the Doctrine of *Calvin*, tho yet till the Peace of *Munster* the timid People of the *Lutheran* and *Calvinian* Religions hating one another more than they did Papists abroad in the World, were so much imposed on by fears and jealousies in Case a *Lutheran* or *Calvinian* Prince should by the right of Lineal Descent come to rule them.

But the *Munster Peace* has taught them better things: and should I ever hear that any *Roman Catholick Prince* here did according to the power by Law reposed in him, relax some of the Penalties of the Law in Case of Recusancy, that as things now are, Recusancy would not be thereby rendered considerably prolific with *Converts*.

Tho I have given my opinion as beforementioned concerning the Fact of the encrease of the number of the *Papists* in the Conjunction of the *Declaration of Indulgence*, and do not think fit to alter it, yet I can tell your Lordship that a Person of great Sagacity who I believe considered the State of their Numbers here then very carefully, and entirely believe
what

what he published thereof in Print, I mean the Author of the *Catholick Apology* with a reply, &c. there saith, that *during the Year 1672.* (and which he calls *a year of Peace*) *there was not one Priest, one Mass one Conversion more in England, than in the Year 1663, 1666. or any other time of trouble.*

I have in this Discourse spoke of such a perfect hatred against Popery as may always consist with a perfect love to Papists, and cinge not a hair of their heads more than a Lambent fire. I have acknowledged the great mortifications austerities and zealous devotions, not only among many of the Religious Orders of the Church of Rome, but of the common People, and have allowed a sober Party to the Jesuites themselves, and have reason to believe that Bellarmine himself, that hammer of Heretical Princes, as his Works shew him, was yet of so soft and gentle a disposition as would not permit him to hurt a Fly or tread on a Worm: and I have reflected on no other Principles of the Jesuites, with any sharpness than what the present Pope hath done, and which the Court of Inquisition at Rome or elsewhere would have allowed me to do: and I have been as I still am so free from any thing of rancour or acerbity in my Principles, relating to the usage of the Papists that an English Priest of the Church of Rome, the Author of the remarkable Book beforementioned, called the *Advocate of Conscience Liberty, or an Apology for toleration rightly stated*, published in the Year 1673. (and the most considerable Book that had for several years been writ in favour of the Roman Catholicks, and a Book our Learned Dr. Stillingfleet refers to in a very excellent printed Sermon of his p. 43. and called, *The Reformation justified*, and Preached before the Lord Mayor of London) doth me the honour there to adopt as his own several Sayings of mine, he found in a printed Discourse of mine that was disswasive of the use of force in matters of Religion, and gave me occasion when I read some passages in his 14th, 25th, 26th, 34th, 43d, 54th, 55th, 62d, 94th Pages there, to call to mind that I had read them elsewhere: and much good might any thing in my Writings do that Author, and he was as welcome to them as if they had been his own: and I am sorry that his not citing an Author where he should have done it, was accompanied with another misfortune of citing one where he should not, I mean his in p. 225. citing of D' Offat. He might have cited another passage of mine against *Hereticide* as being impolitic if he had pleased to have took notice of it among its fellows, and where I observed, that *the putting of the Roman Catholick Priests here to death, did propagate their Religion: and that that Faith was given to the Assertors of Popish Opinions, because they were dying, which they could not have drawn from me but by raising the dead.*

I still own what in p. 93. he partly cites of mine as said by another Author, *That if it be not lawful for every man to be guided by his private Judgment in things of Religion, 'twill be hardly possible to acquit our separation from the Romish Church from the guilt of Schism, &c.* and if any Papist shall as to any Tenet that can properly come within the denomination of Religion tell me, that his private Judgment guides him to receive the guidance of the Church of Rome, and that therefore I a Protestant ought not to be inclined to bear hard upon him on the account of such adhesion to his private Judgment, I shall own the *Argumentum ad hominem* so far as to tell him that I am not inclined *eo nomine* to be severe to him.

And now my Lord, because it hath been so customary in the Authors of large Discourses to bestow on them a short REVIEW, that it would appear sullenness in me not to follow them, and because it would be an irreverence to your great Judgment in me to present any thing for you to view once

once, that I had not resolv'd to view twice, I intend to improve some Intervals of leisure hereafter in *reviewing* of this *Discourse*, and shall explain some passages therein on occasion and *add* others: and if I doubt of any thing particularly in the various matters of *Calculation* herein contained (and of many of which few or none perhaps have written) or shall alter my opinion therein, or in any thing else, I shall acquaint your *Lordship* why I do so; and do as much value my self on my natural temper of acknowledging a quick and ready assent to any proposition of Reason that convinceth my understanding (how contradictory soever the same may be to any former Notion of mine) as any man can value himself on his thinking he never erred, or on his Abilities either by Eloquence or Sophisms to make others think so, and to make them erre with him: and do still account this to be one of the best properties in the best *Ship*, namely, the soonest to *feel* its *Rudder*: and do think, that as none but *Cowards* are *cruel*, so none but *Dunces* are *positive*.

My Lord, after the Efflux of the various Intervals in which this *Discourse* was written, it having happened that the *Papists* are to the general satisfaction of impartial Judges of Men and Things, become as sound a *part* of this Nation as they were and are of the *Dutch States*, (and as throughout this *Discourse* I always supposed them capable of being) and that the *Body* of them is as *Loyal* as can be wished, and likely forever so to continue, and that none but the *Factionous* would have them now to groan under the Penal Laws as formerly, I will not despair of many of our *Dissenters* improving hereafter in *Principles* of *Loyalty*, as likewise of *Conformity*, but hope they will really deserve to be thought as *Loyal* as they were so *de facto*, by many greater Judges than my self at the time of the beginning of this *Discourse*, and when so many in our *Loyal Parliaments* were so extravagant in their Charity to *Dissenters*, as to think that *St. Peters Ship* was the only *Fire-Ship*, and *Non-Conformity* a quiet trading *Merchant-man*, and being hared with *fears* and *jealousies* of *Popery*, were so eager to have the very *Laws* against *Protestant Recusants* Repealed.

But as I hinted the *distinguishing* between *Popish* and *Protestant* Mathematicks to be absurd, and as a gross Error about *Proportion* or *Numbers* would appear more ridiculous in *Archimedes* than in an ordinary *Mathematician*; so true *Protestants* Non-sense or true *Protestants* Rebellion is to be no favourable Case: and the Name of *Protestants* must not more than that of the *Society of Jesus* be allowed as a *Charm* to raise the *Devil* of *Rebellion*.

When *Luther* and those who of old deserved the Name of *True Protestants* abroad as great Co-workers with *Nature*, in introducing the *Reformation* of Religion, were almost deafen'd by their *Papal* Adversaries Outcries of the *tunica inconsutulis*, and when particularly as *Sleidan* tells us in his *Commentarys*, *Granvill* the *Emperors* Deputy in an *harangue* he made to the *Citizens* of *Wormes* did so passionately conjure them, *That they would not tear Christ's seamless Coat*, the *Protestant Populace* was so far from being aw'd out of their way by those words, as that they gave their Adversaries the Name of *Inconsutulistæ*, or the *seamless men*: and as little will any of our false and jesuited *Rebellious Dissenters* effect any thing but the abuse of the name and thing of *Protestancy*, and the ridiculing themselves by their usurping on a pretence to be *TRUE PROTESTANTS*.

It comes here in my way to observe that some of our *Dissenters* and other *Nominal* *Protestants*, who are so apt without sense or reason to call others *Enemies* to the *King* and *Kingdom*, have really appeared such to

both, by their having so much encreased *Divisions* in our *State* as well as *Church*, and by their having been the *Aggressors* in the dividing the *Populace* here by spiteful *calling* of *Names*, which yet I have not thought fit to mention in this *Discourse*, and whereby the *Loyal* have been forced some way to *retaliate*, not only out of a generous scorn, but that they might speak intelligibly: such *Aggressors* have likewise notoriously contributed to the *Divisions* in the Kingdom by their too much encouraging the *Plot-Witnesses* (and particularly that *Recorded* Profligate who so desperately perjured himself in the Case of your *Lordship*, and the Earl of *Peterborough* and a *High-born* Prince) and by extreme acerbity and rancour relating to the Persons of *Papists*. But their most fatal injury to their Country hath been their weakning its *Reputation* (a thing which *Kingdoms* must necessarily subsist by, as well as *private* Persons) through their studied *Artifice* of making a *Popish* Plot to be thought so long lived, and when *England's* reputation for its *strength*, or which is all one for its being *united* within it self, was much more necessary for its well being, than in any *Conjuncture* of time that perhaps ever happen'd.

Considering therefore that the present *State* of *England* doth, and that the probable *Future* State of it will call so peremptorily on all his Majesty's Subjects to preserve their Country by the *Exterminium* of all *Divisions*, as I think I have not brought any disreputation to my own Judgment by adventuring to predict the necessary growth of *Loyalty* making all *England* to become in time one *Sober* Party; so I am sure I have provided for the *Reputation* of my Country thereby as well as I could.

I am not so *agry* as to think that many of our *Religionary Recusants* will either on the account of the *Divine Prayer* of the holy *Jesus* for the uniting his Flock, or of any *Scripture-predictions* of the more *pacific* temper that Christians shall at last be blest with, be thus inclined to endeavour to shew themselves (as I may say) honest *Inconsultulists*, and to forbear *dividing* our Realm as formerly: but by their *Interest* so visibly and palpably concerned in the strengthening the Kingdom, I suppose necessity of *Nature* may be instrumental in the accomplishment of such *Scripture-predictions*: and just as the *Interest* and *Concern* of the *Souldiers* in the *Gospel* who hoped to have *Christ's* seamless Coat come to their share, inclined them not to rend it and to cast *Lots* for the same, and whereby the *Scripture* was fulfilled as is said in the *Gospel*.

I have mentioned it out of the *Scripture* that the *Stork* knoweth her appointed times, and the *Crane* and the *Swallow* observe the time of their coming: and I may (thinking of a great Prince abroad) add, that the sight of a *numberless* Flock of *Stares* making somewhat like a *Cloud* in the Air, and safely flying close together, while there is a *Falcon* towering above them, will direct the *Populace* of several parts of *Christendom* to *Loyalty* and to the natural *Garrant* of *Union* at home under their respective *Governors*, whereby they will be effectually preserved.

As I have in this *Discourse* entertained your *Lordship* with somewhat like a short *Historical* Account of the accidental encrease and natural decrease of the Numbers of the *Papists* in several *Conjunctures* since the *Reformation*, so I shall in my intended *Review* with the like of those of the *Non-Conformists*, and impartially take notice of the respective *Conjunctures* of their *petulant insolence*: and whereby I shall shew to what strange *Principles* of Out-raging our *Municipal* Laws they were gradually abandoned.

As a *Specimen* hereof I shall observe, That *Ames* a Learned *Dissenter* of the former Age, in the *Preface* of his *Puritanismus Anglicanus*, printed in the year 1610, speaking of the sufferings of the *Clerical* Dissenters, saith,
That

That the *Crime* they were adjudged guilty of in *England* was, *Quod obsti-*
naverunt sese contra leges: and then goeth on to ask, *Sed quæ tandem*
illæ quarum gratiâ & vi tot fideles & aliàs inculpati Ministri sunt bonis
omnibus sedibusq; pulsi (nam ex altari vivebant) dignitatibus & functio-
nibus suis exuti, fædati etiam existimatione? Sunt autem ne nescias non
fundamentales Regni leges, non vetera Majorum scita aut consulta, quorum sum-
mam brevem in Magnâ (ut appellant) Charta conscriptam habemus: hæc
illz Religiosissime colunt: horum fidem implorant; sed Canones nescio qui in
legum fraudem dolo malo confecti, à Parlamentario senatu damnati, vere son-
tici, quos denique adversus ministros inviti, & non sine pudore & in alios cul-
pæ traiectione, exercent Authores ipsi, &c.

But we may with horror ask, what kind of *Laws* is it, that those have
Outraged since 41, and some of them since the year 60, and since a par-
ticular Law hath declared the *Militia* to be solely in the *King*?

I most humbly take my leave of your Lordship at present, and
 am,

My Lord,

Your Lordships most

Faithful Servant.

THE

I most humbly ask my leave of your Lordship at present, and
trust I shall be able to be with you in the May.

My Love,

Four Longships in 18

1825

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To the Right Honorable
THE
LORD MARQUESSE
OF
HALIFAX.

MY LORD,



According to the Common Civility of Ships paying a Salute to the Forts on the Coasts they come near, the Course of my handling the following Subject necessarily giving my Thoughts an approach to the Considering the great use that Providence not long ago made use of your Lordship's great Abilities as a Fortification for the Defence of the Hereditary Monarchy, I have held it here but common Justice to Congratulate to your Lordship your heroical Loyalty and great Success therein on one MEMORABLE Day.

It pleas'd God, in whose Book the Members of Mens Bodies, and Talents of their Minds are written, then to call forth your Head, and Heart, and Tongue, your flowing Elocution, your fixt Judgment, your great Presence of Mind and Thought, your comprehensive Knowledge of the past Publick Affairs at home and abroad, and even the generous ferment in your Blood, and to put them all to signal use in preserving the whole Body of the Kingdom.

Your Lordship's Goodness was herein the more God-like, for that as the great benign Father of the Creation was pleas'd with being a Benefactor to such whose Ingratitude he foreknew, and to some who would render him as negligent of the Concerns of his Creatures, and to others who would represent him as unjust in his Prescriptions, and cruel in his Designs, and taking pleasure

(*) in

*in the Destruction of Souls, so your Lordship was resolv'd on your
Beneficence to your Country in the black Conjunction of our Fears
and Jealousies, and you were then Communicative of the brightest
Beams and sweetest Influences of your serene and great thoughts
to it, when you knew that by some of the People for your so
doing you would be maligned and mis-represented as an hostis
Patriæ.*

*I shall Presume to give your Lordship no further trouble then
by the sincere Profession of my being*

My Lord,

Your Lordship's most Obedient

Servant,

P. P.

THE

THE OBLIGATION

Relating to the King's

Heirs and Successors

In point of

Conscience discuss'd,

As resulting from the OATHS of ALLEGIANCE and SUPREMACY; and the *Takers* of those *Oaths* proved to be thereupon become bound to bear *Faith* and True *Allegiance* to those HEIRS and SUCCESSORS in the *Due* and *Legal* Course of DESCENT.

I Shall without *Proem* or *Passions* here approach to the Great *Areopagus* of the Court of Conscience, and having stated the *Question* of what *Obligation* to the King's *Heirs* and *Successors*, results from the *Oaths* of *Allegiance* and *Supremacy* in point of *Conscience*, shall deliver my judgment of the same in some *Conclusions*, and answer *Objections* that may occur.

I shall here take Notice that the word *Obligation* from being Originally a *Band* or *Ty* of the *Law* for *Payment* of *Debts*, hath been since frequently applied to the discharge of *Moral* Offices. *Obligatio est juris vinculum quo necessitate restringimur alicujus solvendæ Rei. Instit. de Obligationibus.* And pursuant hereunto men may be properly said to pay their *Allegiance* to *Princes* in discharge of their *Natural Obligations* and their *Oaths*.

But here I consider not the extent of the *Obligation* of the *Natural Allegiance* that *English* Subjects owe their *Monarchs*, nor yet their *Obligation* to *Allegiance* from the *Divine Law positive*, nor from the *Lex terræ*; tho yet I account it very plain that we are on all those accounts bound to pay them *Allegiance*: but do choose to confine my discussion of the *Obligation* to *Allegiance*, as resulting from the *Oaths* of *Allegiance* and *Supremacy*, and as mentioned in our *Statutes* in relation to our King's *Heirs* and *Successors*, and most particularly from that *CLAUSE* in the *Oath* of *Allegiance*, viz. *I will bear Faith and true Allegiance to his*

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Majesty,

Majesty, his HEIRS and SUCCESSORS, and him and them will defend to the uttermost of my power against all Conspiracies and Attempts whatsoever, which shall be made against his or their Persons, their Crown and Dignity, &c. And THAT in the Oath of Supremacy, viz. And do promise that from henceforth I shall bear Faith and true Allegiance to the King's Highness, his Heirs and lawful Successors, and to my power shall assist and defend all Jurisdictions, Privileges, Prebeminences and Authorities granted or belonging to the King's Highness, his Heirs and Successors, &c.

And I here enquire, how far the Obligation resulting from those Clauses in those Oaths, in Relation to such Heirs and Successors, may be judged in point of Conscience to extend?

As to the Question thus explained and stated I shall lay down these following Conclusions;

First, That those Oaths (and indeed all others) do respect a Duty to be performed in the Future time; that is, at the least some time tho perhaps a very small one after the Obligation contracted, as is well open'd by Sanderson in his first Lecture of the Obligation of Oaths, and where he shews that this happens in every Oath assertory as well as promissory: for whoever sweareth obligeth himself ipso facto to manifest the truth in that which he is about to say, whether it be in a matter past or present by an Assertory; or in a Future matter by a Promissory Oath.

Secondly, That by that part of an Oath Promissory contained in the forementioned Clauses of the Oaths of Allegiance and Supremacy, as likewise by all other Oaths Promissory, the Party swearing is bound to endeavour for the Future as much as in him lieth by his Deeds to fulfil what he hath sworn in words: and this Sanderson in his second Lecture hath well asserted as to an Oath Promissory, viz. That he who endeavours not to perform that which he hath promised is guilty of Perjury in the Court of Conscience.

'Tis plain that in an Assertory Oath, if I took the same with a well-composed mind, and have given my Testimony truly, I have discharged my Duty, and have my Quietus from my Conscience for the same. But in an Oath Promissory, and particularly in the Promissory part of the Oaths of Allegiance and Supremacy, I am not discharged by the sincerity of my intention in my promise. I have engaged my self to Action, and have lanced my self into a Sea of Business from that time forward till the end of my life, and as there is occasion and opportunity I am to DO what in those Clauses I have promised to the King and his Heirs and Successors. And thus the Style of DOING runs in Numbers 30. 2. If a man swear an Oath to bind his Soul with a Bond, he shall DO according to all that proceedeth out of his mouth.

Thirdly, That those Oaths and all others are to be taken in the sense of the Imposer. For the Oath being taken that the Imposer may be assured that the promise of the Person swearing shall be effectually made good to him, there would be no assurance thereof in the least, if the Oath were to be interpreted otherwise than in the Imposers sense: and under this Conclusion it may be properly added, that where that sense is sufficiently manifest in the words, it is exactly to be stood to, as Sanderson hath well shewed in his second Lecture of the aforesaid Subject, and where having shewed how we must take heed that we impose not on the Oath we have taken, or any part thereof other sense than that which any other Pious and Prudent Man (and who being unconcerned in the Business is of a freer Judgment) may easily

easily gather out of the Words themselves, he saith, That we become without question guilty of the heinous Crime of Perjury, if that milder interpretation which encouraged us unto the Oath chance to deceive us. And in his 6th Lecture §. 7. he saith, As it is one kind of Perjury to strain the words during the Act of Swearing unto another Sense than that wherein they are understood by the Auditors, so it is another kind of Perjury having sworn honestly, not to proceed sincerely, but to decline and elude the strength of the Oath (tho the words be preserved) with some new forged inventions, variously turning and dressing the words to cloak the guilt of their Consciences as Tacitus saith of some: and he concludes that Section by saying, That where the words of an Oath are so clear in themselves, that among honest men there can be no question of their meaning, the Party swearing is obliged in that sense which they apparently afford, and may not either in swearing or when he hath sworn, stretch those words upon the last of his Interest by any studied interpretations.

There appeared nothing more detestable to the Eye of the old Civil Law then fraud and trick, and particularly the destroying the true Sense and meaning of a Law by a cavilling fraudulent interpretation that retains the words but confounds the ends for which the Law was made; and accordingly 'tis said in the Digests, *In fraudem legis facit qui salvis verbis legis, sententiam ejus circumvenit.*

But this in the Case of an Oath was more abominated, and accordingly Cicero tells us, that *Fraus adstringit non dissolvit perjurium.* And if the Civil Law was afterward so provident for the honour of Humane Nature as to determine in the Case of an unask'd free gift, that *Cum in arbitrio cujuscunque sit hoc facere quod instituit, oportet eum vel minime ad hoc profilire, vel cum venire ad hoc properaverit, non quibusdam excogitatis artibus suum propositum defraudare, tantamque indevotionem quibusdam quasi legitimis velamentis prolegere,* any one may judge how much it abhorred any thing of fraud in the evading of the payment of a due subjection to Sovereign Power acknowledged by what the thinking Heathens term'd *Sacramentum*, as if the most eminent, or only thing emphatically Sacred, and religiously to be observed.

I should not since the Extermination of the Jesuites Doctrine of Equivocating have thought it worth while so much to dilate on this plain Conclusion, before the publishing a Pamphlet in our Metropolis in the Year 1680, called *An Account of the New Sheriffs holding their Office, made publick upon reason of CONSCIENCE, respecting themselves and others in regard to the Act for Corporations,* and in which ACT, tho the Lawgivers meaning of the Oath thereby imposed is most apparently manifest out of the Words, yet the Author of that Casuistical Pamphlet makes it lawful to take the Oath and subscribe the Declaration, and not in the literal strict Construction, but in an imaginary sense topp'd upon the Lawgivers, and that nothing but a vitiated fancy or injudicious mind could imagine.

I was sorry to hear that that Pamphlet was writ by a Non-Conformist Divine: and that in a Conjunction when the Magistrates of that City were so hot against the name of Popery, any men should be so zealous for the Thing called Jesuitism, and that any men by attempting to rivet Equivocation into their Model of Protestancy, should at once endeavour to rob us of the Energy of the Oaths of Allegiance and Supremacy, and of the Test it self, and to make the sacredness of all Oaths whatsoever to evaporate.

Let

Let any *sober* Person of the *Dissenters* Party but seriously read that *Pamphlet* so scandalous to *Protestancy*, and it cannot but give him the Alarm of coming out from among them, for that he must do that would come out even from the *Jesuitick Equivocation*.

If there were not a *Church of England-Protestancy* in that *Loyal City*, I may without unjust reflection say it, that *Magistrates* who were Accessory to the erecting that *Paper-Monument* to *Equivocation*, and to the trying to help it to a *jus Divinum*, and to be a part of *pure Religion and undefiled*, could bring little honour to our *Metropolis* by calling it a **PROTESTANT CITY** on its *Monument of Stone*.

As we find in the *Book of Judges* that all that saw that inhumane Butchering and Quartering out into pieces of the *Levites Wife* by her own Husband, cried out and said, *There was no such thing done or seen since the time that the Children of Israel came up out of the Land of Egypt until that day*, I believe it may be affirmed that never in any **PROTESTANT** City in the World, since the time that it was free'd from the *Egyptian Servitude* of the *Papal Impositions*, was any such barbarous butchering of the *Obligation* of an *Oath* by *Equivocation* in a printed *Case* sent about the Kingdom by the pretended *Esposers* of *Protestancy*, ever done or seen. And according to the saying, that *Nisi serpens serpentem comederit non fit draco*, it may be said that the most superlative and dreadful outraging of *Oaths* cannot be compassed but by the Consciences of pretended Protestants digesting the old *Equivocation* of the *Jesuites*.

When I consider this therefore that the *false Protestant* Discussor of that **CASE of CONSCIENCE** of the **SHERIFFS**, doth determine that, *by taking up Arms against the King* mentioned in the *Oath*, is to be meant against **HIS RIGHTFUL GOVERNMENT**, and that the *Oath* must be taken in the **SENSE or MEANING** of the *Major part of both Houses* that passed it, and then makes their meaning so opposite to their words, and do recollect what is so clearly laid down in my *Lord Chancellor Hatton's Treatise concerning Statutes, and the Expositions of Acts of Parliament*, viz. *That the Assembly of Parliament being ended, functi sunt officio* and that as to all of the lower House who are by *Election*, their Authority is returned to the *Electors* so clearly that if they were altogether assembled again for interpretation by a voluntary Meeting, *eorum non esset interpretari*, and that then the interpretation of the *Statutes* falls into the hands of the *Sages of the Law*, and when I consider that great *Caution* of *Sanderson* in his said *Book*, that where we depart from the words of an *Oath* to the intent, it must be well proved that there was such a meaning, I have a great Compassion for men that are trick't into *Perjury* by the artifice of any *Casuits*: and as I have mentioned a *Crafty Counsel at Law* to be justly odious, and a *Crafty Councillor of State* to be more so, do account a *Crafty Casuist* to be most abominable.

What effect that *Pamphlet* hath had in debauching the Consciences of the *Non-Conformists* in thus distorting the natural sense of that *Oath* by a *calumnious* and fraudulent interpretation, and whereby such mens tenderness of Conscience may have become Armour of Proof against all *Oaths*, I know not. The *Paper* mentions its being design'd for the *edifying* of others: and that word of *edifying* minds me of the saying of, *Qui judicat contra conscientiam, ædificat ad gehennam*: and the which too is justly applicable to a *Protestant Casuist* that giveth Judgment for *equivocation*. And it may with a pious horror be thought of, that if Christianity and its

its Morals should happen to be generally depraved by such *Sophisms* and *Chicanery* as that Pamphlet is stuffed with, there may be cause of fear that *the Son of Man* at his second coming will not find so much as the old *bona fides* of the Heathens on the Earth.

That any *Non Conformists* of the present Age may see how much the *Casuistical* Theology of that Pamphlet hath degenerated from the Rule about the interpretation of Oaths that was in vogue among those of the former, I shall refer them to the Learned *Casuistical* works of Ames a Pious and Learned Independent Divine of that Age, printed at Amsterdam in the Year 1631, and where in his 4th Book, Chap. 22. *De Juramento*, he very learnedly inveighs against the use of *Equivocation* and *Mental Reservation* in Oaths, and maketh it to be *Equivocation*, *Cum verba ipsa quæ usurpantur sunt ambigui sensus, & illo sensu accipiuntur à jurante, quem audientes cupit celare ut alio sensu ab ipsis accipiantur*; and coming to determine that Question, viz. In what sense ought the words of an Oath to be taken? he answers, viz. In that sense that we judge they who hear us will conceive: that is, regularly in that sense that the words have in the common use of men: because the signification of words depends on mens use. And he there afterward coming to this Question, viz. Are the Words of an Oath always to be taken strictly as they sound? answers, That an Oath, by reason of the danger of Perjury, is of strict right and interpretation, so that it may not admit those larger Explications which in other Facts and Sayings often take place.

Fourthly, As a Humane Law forbidding a thing simply evil, or commanding a thing in its own nature good, doth induce a new Obligation in Conscience, so doth the Addition of an Oath imposed by the Law for the avoiding of that thing so simply evil, super-induce a farther Obligation to avoid it: and therefore the Persons who take the Oath of *Allegiance* invoking God as *Witness* and *Revenger* that they do plainly and sincerely acknowledge and swear according to these express words by them spoken, and according to the plain and common sense and understanding of the same words, *Without any Equivocation or mental Evasion or secret Reservation whatsoever, and heartily, willingly, and truly upon the TRUE FAITH of a CHRISTIAN*, are under a more especial and particular Obligation to abhor all subtle and cavilling interpretations of the sense of the said Oath.

Fifthly, As the plain and common sense and understanding of the words in the Clauses respecting the Future time of bearing Faith and true Allegiance to his Majesty, &c. do lay an actual Promissory Obligation on the swearer to bear the same to him during his life, so reddendo singula singulis, they lay an actual Promissory Obligation on the swearer to bear the same to his Heirs and Successors afterward in the Due and Legal Course of Descent.

The Promise in the Clause of the Oath of Supremacy runneth thus, viz. and DO Promise that FROM HENCEFORTH I WILL bear Faith, &c. And words could not express an actual Obligation incurr'd and to have some Operation in the next Moment of time, both in relation to his Majesty and his Heirs and Successors, more clearly than those have expressed the same. And the Promise sworn in the Clause of the Oath of Allegiance, viz. I will bear Faith, &c. doth likewise after the Oath sworn immediately operate in its Obligation to the King and his Heirs and Successors in the next Interval of Time imaginable, however the word henceforth be not there used as in the former Oath: for the Clause of the Oath

of *Allegiance* binding me not only to preserve the King, but the Hereditary Monarchy, I could not be effectually enough by the Oath obliged to the same without being obliged in the shortest time afterward, not only to forbear prejudicing any right that belongs to the King and his Heirs and Successors, but to defend the same.

The pointing of men to an ordinary *Lease* where the *Lessee* at the perfecting thereof enters into an *actual* Obligation both in *Law* and *Conscience* to pay his Rent to the *Lessor*, his *Heirs* and *Assigns*, that is, as it shall become due to each respectively, shews a present *actual* Obligation incurred of discharging any *Future Dues* successively, and (as I said) *reddendo singula singulis*, to be familiar enough to common thought and vulgar apprehensions, and likewise the word *Heirs* to be so too.

The many who take the *Oaths* of *Allegiance* and *Supremacy* have spent enough time, and perhaps too much ventured eternity, in thinking of and providing for their *Heirs*; and who commonly as landed men know that by virtue of right either immediately or mediately derived from the Crown, they are only enabled to say, *They are seized of this or that Land in their Demesne as of Fee*, and which is as much as to say, *It is their Demesne or proper Land after a sort, because it is to them and their Heirs*, and that such Fee doth *vi termini* imply *Fealty*, and *Fealty* sworn: and the thought of which would on the turning of the Tables make them sufficiently apprehensive of their danger, if there could be any *ambiguity* in the word *Heir*, or the Crown granting Land to them and their Heirs forever.

I shall here take occasion by the way to reflect on an Antimonarchical saying I met with printed, as spoke in *Parliament* by a great Demagogue some years ago, viz. *That the Cottager here holds his right by the same Tenure that the Crown holds its*. For it is false that our King or the Crown oweth *Fealty* to any Superior, but God only. The King's Throne is the Throne of God, and the Style of Crown'd Heads is *Dei gratia*, and by him Kings Reign.

But to proceed. If there could be *Ambiguity* in the word *Heirs*, the worth of our *Magna Charta* would soon be depreiated, and it would be but *Res unius ætatis*; and particularly where it saith, *Concessimus Deo & hac præsentì charta confirmavimus pro nobis & HÆREDIBUS nostris in perpetuum, quod Ecclesia Anglicana libera sit & habeat omnia jura sua integra & libertates suas illæsas*, and whereby the *British* Churches are secured under a Prince of any Religion from *Foreign* Arbitrary impositions. But indeed the Style current in *Magna Charta* is, that our Kings for themselves and their Heirs forever, did grant the Customs and Liberties contained in that Charter to our Ancestors and their Heirs for ever. Our Ancestors had no occasion to spend time in seeking *Knots* in a *Bull-rush* or hidden Sense in the words *HEIRS* and the King's *HEIRS*, when so anciently as by the Oath of *Fealty* (which every Person above fourteen years old, and every *Tythingman* was obliged to take publicly at the *Court-Leet* within which he lived) they were sworn to the King and his *HEIRS*: and that Oath was taken a fresh every year by all the Subjects under *Edward the Confessor* and *William the first*, and is thus set down by *Pryn* in his *Concordia Discors*, viz. *I A. B. do swear that FROM THIS DAT FORWARDS I will be Faithfal and Loyal to our Lord the King AND HIS HEIRS, &c.*

The instances are innumerable of Allegiance anciently Sworn to our Kings and their Heirs; and this one for example occureth to me as Sworn in the time of Edward the 4th. viz. Sovereign Lord, I Henry Percy become your Subject and Leige-man, and promit to God and you, that hereafter, I Faith and Troth shall bear to you as to my Sovereign, Leige-Lord, and to your Heirs, Kings of England, of Life and Limb, and of Earthly Worship, to Live and Die against all Earthly People, and to you, and to your Commandments, I shall be Obeysant as God me help, and his Holy Evang'lists. 27. Oct. 9. Ed. 4. Claus. 9. Ed. 4. m. 13. in dorso.

Mr. Pryn likewise in that Book of his beforemention'd faith, that there was an ancient Oath of Fealty and Allegiance, both by the Subjects of England, and Kings, Bishops, Nobles and Subjects of Scotland, made to the Kings of England and Their Heirs, as Supreme Lords of Scotland, in these words, viz. *Ero fidelis & legalis, fidemque & legalitatem servabo Henrico Regi Angliæ & hæredibus suis, de vitâ & membris & terreno honore, contra omnes qui possunt vivere & mori: & nunquam pro aliquo portabo arma, nec ero in consilio vel auxilio contra eum vel Hæredes suos, &c.* which Oath he saith, William, King of Scots, and all his Nobles Swore to King Henry the second, & hæredibus suis sicut ligio Domino suo, and John Balliol, John Comyn, with all the Nobles of Scotland, to King Edward the first and his Heirs.

He there likewise gives an account how the Nobles of England Swore Fealty to Richard King of England, and to his Heirs against all men, and how the Citizens of London Swore the like Oath; and, That if King Richard should die without Issue, they would receive Earl John his Brother for their King and Lord, & juraverunt ei fidelitatem Contra omnes homines, salva fidelitate Richardi Regis fratris sui, as Hoveden relates.

And he moreover cites the Record of the Writ, issued to all the Sheriffs of England, soon after the Birth of Edward the 1st. Son and Heir to King Henry the 3d. To Summon all Persons above 12 years old to Swear Fealty to him, as Heir to the King, and to submit themselves faithfully to him, as their Liege Lord after his Death. This form of the Oath in the Writ is there mention'd to that effect, viz. *Quod ipsi salvo homagio & fidelitate nostrâ, quâ nobis tenentur, & cui in vitâ nostrâ nullo modo renunciare volumus, fideles eritis Edwardo filio nostro primogenito, ita quod si de nobis humanitus Contigerit, eidem tanquam Hæredi nostro & domino suo ligio erunt fideliter intendentes & eum pro domino suo ligio habentes:* And he there shews how they were Summon'd and Sworn accordingly; and further how in the Parliament of H. 4. The Lords Spiritual and Temp'ral, and Commons were Sworn to bear Faith and true Allegiance to the King, to the Prince and his Issue, and to every one of his Sons, severally succeeding to the Crown of England: And he there mentions more Oaths taken to our Kings and their Heirs of the like Nature.

The Consideration hereof would make any one wonder at the Confidence of a late Learned Lawyer, and positive pretender to Omniscience in our English Antiquities and Records, who in his Detestable Book called *The Rights of the Kingdom*, (and which contains a farrago of Impious Anti-monarchical Principles, and Printed in London, 1649. and there to the Scandal of the English and Protestant Name, lately Re-printed by some Factious Anti-Papists) hath averred, That our Allegiance was of old tyed to the Kings Person, not unto his Heirs, and for the Kings Heirs (saith he there) I find them not in our Allegiance. And he mentions the Oaths of Supremacy and Allegiance, as enjoyn'd in Queen Elizabeth's and King

King James's time respectively, to be the first that were made, *to the Kings Person and his HEIRS and SUCCESSORS.*

But to return to the Cause in hand; 'Tis sufficient for the Obligation I press, that HEIRS and SUCCESSORS are so clearly expressed in the Oaths of Allegiance and Supremacy.

And tho the Statute of 1^o. Elizabethæ, in the Clause of the Annexing Ecclesiastical Jurisdiction to the Crown, useth the style of *Your Highness, your Heirs and Successors, Kings or Queens of this Realm shall have full Power, &c.* as the Statute of the Supremacy 26^o. Henry 8th. runs in the Style of *our Sovereign Lord, his Heirs and Successors, Kings of this Realm, shall be taken, accepted, and reputed, the only Supreme Head,* and tho the Oath in the 35th. H. the 8th. Cap. 1. that relates to the bearing Faith, Truth, and true Allegiance to the Kings Majesty, and to his Heirs and Successors, &c. be further thus expressed, *viz. And that I shall accept, repute, and take the Kings Majesty, his Heirs and Successors (when they or any of them shall enjoy his place) to be the only Supreme Head, &c.* and tho the old Oath of the Mayor of London and other Cities and Towns throughout England, and of Bayliffs, or other chief Officers, where there are no Mayors, runs in the style of Swearing, *That they shall well and Loyally Serve the King in the Office of Mayor, in the City of L. and the same City, shall keep surely and safely to the use of our Lord the King of England, and of his Heirs, Kings of England,* might give occasion for that great, empty, and big-sounding Sophism of Sir W. J. in his famous Speech, wherein he said, *That we are Sworn to the King, his Heirs and Lawful Successors, but not Obligated to any, during the Kings Life, but to himself; for it were Treason if it were otherwise; yet let any Man lay his hand upon his Heart, and bend his Ear to the still voice of his Conscience, and will he not find that both those Clauses in the Oaths of Allegiance and Supremacy, do necessarily imply the bearing such Faith and Allegiance, first entirely to the King during his Life, and after his Demise, bearing the same to his Heirs and Successors, when they shall become Kings or Queens of this Realm? and that thus, Quod necessarò, subintelligitur, non deest, and that the Oath of Supremacy begins with the Declaring, that the Kings Highness IS the only Supreme Governor of this Realm, &c. and that of Allegiance, with declaring in like manner, that the King IS Lawful and Rightful King of this Realm, and that the bearing Faith and Allegiance to the King, doth imply the Jus in re, as to our Fealty and Allegiance to the King, Contra omnem hominem, during the Kings Life; and doth at present imply (as I may) jus ad rem, to his Heirs and Successors after his Demise.*

Undoubtedly it was not the design of the Oaths of Allegiance and Supremacy, to oblige us to impossible things; for that no Oath can do. And under the notion of things Impossible, the Civil Law hath well ranged all Actions which wound Piety Reputation and our Modesty, and which are against good manners, by that known place, *Quæ facta lædunt pietatem, estimationem, verecundiam nostram, & ut generaliter dixerim quæ contra bonos mores fiunt, nec facere nos posse Credendum est.* The Canon Law likewise hath well told us, that *juramentum contra bonos mores non est obligatorium.* And the Law of Nature and all Divine and Humane Laws have taught us, that nothing doth more wound Piety and Reputation, and Common Modesty to the Heart, or is more against good Manners, than the outraging our Oath of Obedience, or Allegiance to our Prince; and it may well be Judged impossible for a Prince to require from his Subjects their

Swearing

Swearing to pay the entire *Allegiance* to another, at that time while it was due *only* to himself.

For as all *Oaths* are *stricti juris* in their Interpretation, so the word *Allegiance* or *Ligeance* doth *vi te mini* imply the strictest obligation to the Prince imaginable; and accordingly as the expression of *alligare fidem juramento*, is found in *Seneca*. And this Obligation is partly of the nature of what the *Feudists* call *Homagium ligium*, distinguishing *homage* into *ligium* and *non ligium*, and making *ligium* to be that which is done to Sovereign Princes only, no *fidelity* to any one else reserved: and only to be fealty Sworn *contra omnem hominem, nullo excepto*; whereupon their rule is, that none can be *homo ligius duorum, i. e. at the same time*.

And any one who shall cast his Eye on our *Book of the Terms of the Law*, will there find the *homagium ligium* got in from among the old *Feudists*; and the Author making the Figure of *Homage* to be more Solemn than the *Oath of Fealty*, in which *Oath* the *Tenant* saith to his Lord, *I shall be to you Faithful and Loyal; and shall bear to you Faith for the Lands and Tenements which I claim to hold of you, and truly shall do you the Customs and Services that I ought to do you at the Terms Assigned: So help me God*. But in *Homage* there is *Kneeling* required; and the *Tenant* saith on his *Knees*, *I become your Man from this day forward, of Life and Member, and of earthly honour, and to you shall be Faithful and Loyal, and shall bear to you Faith for the Lands that I claim to hold of you, saving the Faith that I owe to our Lord the King*.

Sir *Edward Cook* likewise entertains us with somewhat of the *Homagium ligium*, and he very well and usefully in his *Calvins Case* explains the nature of the Subjects *ligeance* and makes it to be a true and faithful Obedience of the Subject due to his Sovereign; and there saith, that *Ligiance* is expressed by several terms which are Synonymous in our Books, and is sometimes called *obedientia Regi*, and that *Ligiance* is sometimes called *Faith, fides, ad fidem Regis*; and there mentioning the *Homage* out of *Littleton*, *Salve le foy quod Jeo doy a nostre sur le Roy*, quotes *Glanvil l. 9. c. 1.* for the *Salvo* required in *Homage*, viz. *Salvâ fide debitâ Domino Regi & Hæredibus suis*.

It may therefore be here said, that our *Ancestors* in the contexture of the *Oaths of Allegiance and Supremacy*, intended no Idle words, but did with exact care weigh every expression and word of them in *aurificis Statera*.

According to that trite wise saying, *hominum malitiis obviandum est*, they prepared to encounter with the Clamour of some *Romane Catholics*, who might possibly think to run down the *Oath of Allegiance*, with the cry of *The New Oath*; and as they afterwards tryed to do, suitably to their old term of the *New Evangel*: And therefore when they framed the words in the clause of these *Oaths*, which runs much as I have shewn in the old stile of the former *Oaths* used long before the *Reformation*, they did stare super vias antiquas, as I may say; and in these *Oaths of Allegiance and Supremacy*, the Kings Heirs do not come in without deep precaution, and not as Ceremonious attendants on the Kings Person (as I may say) but in order to the Support of the Hereditary Monarchy, and as I shall shew more by and by out of the words of the *Oaths*. The Lawgivers ventured no danger of answering at the day of Judgement for any idle words, and much less for Captious ones in the *Oaths*: And 'tis a delirium to think that they should make it Treason in some Cases, to refuse one

of those Oaths, and make it too Treason to practice it; and that the Oath of Allegiance obliging men to endeavor to disclose to his Majesty, his HEIRS and SUCCESSORS, all TREASONS which they shall know or hear of, to be against him or EITHER of them, the Obligation to the Kings Heirs and Successors, in the words immediately foregoing, could imply any thing of Treason.

We know that as to any thing written, *interpretatio facienda est ex totius Scripturæ Contextu*, and that *pro expresso id habetur quod Colligitur ex eo quod expressum est*; and that if any one shall deliberately mind the Contexture of those Oaths, and what is therein so liquidly expressed and asserted, that those Oaths which were intended as all others to put an end to all Strife, do make none between our Kings, their Heirs and Successors.

But all men of sense and thought cannot but grant, that in the Clauses as relating to the Kings HEIRS and SUCCESSORS, we are to judge according to the Rule of Interpretation, viz. that *verba non debent esse ociosa, sed ita intelligi debent ut aliquid operentur*, and that *verba cum effectu sunt accipienda*: And as 'tis said in the Civil Law, *Semper in stipulationibus & in cæteris contractibus, id sequimur quod ACTUM est*; and as *actus* is there taken for a general word, *sive re sive verbis quid AGATUR*; here is an ACT of the Swearer, done in relation to such HEIRS and SUCCESSORS: and he is *promittendi reus* in the Civil Law Phrase, and as he is there called *Reus, qui debitor est, omninoque obligatus ex quavis Causa*, and as he who hath promised any thing is said *Reus debendi*; and so *Reus constitutus dicitur qui se obligavit. ff. Quod met. Caus. l. 14. §. Labeo.*

But on the whole matter, our Oaths of Allegiance and Supremacy contain in them nothing impossible, and nothing ambiguous, and do ipso facto or in plain English, oblige us as soon as taken to be ready to pay our Allegiance to the King, and afterward to his Heirs and Successors as respectively due according to the Legal Course of Descent.

And if any one be frightened with Sir W. P's. Day-Dream of Treason, viz. in being immediately upon the taking of the Oaths under some Obligation to the Kings Heirs and Successors, let him repair to our Statute-Book and he will there find as good Bail provided for him in the Case as Heaven and Earth can give: for in the Preamble of an Act of Parliament the King and three Estates tell him of the Duty that every true and well affected Subject, not only by BOND of Allegiance, but also by the COMMANDMENT of Almighty God, OUGHT to perform to his Majesty, his HEIRS and SUCCESSORS, 7. Jac. c. 6.

In fine, I shall hereupon affirm, that should any English Subject, who hath taken these Oaths live to the age of Nestor, and in the course of Nature, see several of our Kings Heirs and Successors, in the due and Legal course of Descent, Succeeding one another; and should such Subject be never call'd on to reiterate those Oaths in the Reign of any of them, he would yet by these Oaths before once taken, continue obliged to bear true Faith and Allegiance to them all Successively.

And thus in the first fæderal Oath we read of, the Father of the faithful, obliged himself at once in relation to Abimelech and his SON, and his SONS SON: and we know how afterward God was pleased to oblige himself at once to Abraham and his SEED; and how after that God was pleased to oblige himself by his Oath and Covenant made to David
and

and his SEED, as to their Succession in the Royal Throne of Juda: And 'twas to this the words in the Psalms, ONCE have I Sworn, &c. refer.

And therefore this Scriptural Representation of God, after the manner of Men, condescending in the Government of the world, to bind himself *ex gratiâ*, as aforesaid, may well inculcate to us the reasonableness of our becoming *ipso facto* bound by our Oaths to pay the *debitum Justitiæ* to his Vice-Roys and their HEIRS and SUCCESSORS.

To proceed therefore, I shall lay down this as a 6th Conclusion, and genuinely deducible from the former one, *viz.* That by Virtue of those two Clauses, the takers of those Oaths do particularly bind themselves not only against the Aiding and Assisting or Abetting any Rebellion or any Usurpation of the rights of his Majesty's Heirs and Successors that can happen; but to the aiding and assisting of the Crown, and preserving its Inheritable Rights on all Emergent occasions.

Sanderfon in his 4th Lecture of the Obligation of Oaths, puts the Case concerning the Person to whom an Oath was made, *viz.* Whether he who hath Sworn the performance of a thing to another, the Party to whom he Sware being deceased, be bound to make it good to the Heirs and Successors of the said Party? And his words are: I answer, ordinarily he is. It is certain that the Party Swearing is obliged if he express'd that he would perform the Oath unto the Heirs of the other. It may also be taken for granted, that he is bound tho he expressed it not, if the Oath taken relates to DIGNITY, because DIGNITY varies not with the change of Persons. Whence if any Subject or Souldier Swear Fidelity to his King or General, the Oath is to be meant to be made unto them also who succeed to that Dignity.

Yet Ames our Learned Non-conformist in his Case of Conscience, 4th Book, Chapter 22. *viz.* De Juramento: as to the 11th Question, and about the Obligation of an Oath Ceasing, saith, *Quum aufertur ratio juramenti, juramentum cessat ratione Eventus: qui casus est eorum, qui jurarunt se obedituros Dominis, aut Principi alicui, qui postea cessat esse talis.*

But perhaps had the Case of so strict an Oath, as that of Allegiance to our Prince and his HEIRS and SUCCESSORS layn before him, he would have writ otherwise of its Obligation. For as the Consideration of the for mentioned Clauses in the Oaths of Allegiance and Supremacy did sufficiently prevail with the Ejected and Persecuted Divines of the Church of England, and most of its Lay Members, to avoid all sinful Compliance with the late Usurpation and Usurpers; so it did likewise with many of the Presbyterians and others, to avoid the same, and particularly to refuse the taking the ENGAGEMENT set up by the Republicans, and even to Publish in Print their holding themselves obliged by those Oaths so to do.

I shall instance in two that did so; Mr. Pryn in his Book before cited mentions those OATHS as in direct words extending not only to the late King's Person (mentioning King Charles the 1st) but his HEIRS and SUCCESSORS, and Inviolably binding the Swearers in perpetuity in point of LAW and CONSCIENCE, so long as there is any Heir of the Crown, and Royal Line in being; and that upon many Unanswerable Scriptural Precedents and Legal Considerations, &c.

He had before charged those with apparent Perjury, who had taken those Oaths to the King and his HEIRS, and yet repute those few Reliques of the old Parliament then sitting (forcibly secluding the Lords and Majority

rity of their Fellow Members) to be a lawful Parliament, within the Statute of 17. Car. Cap. 7. or submit to any Oaths, Taxes, or Edicts of theirs as Parliamentary or Legal.

I refer the Reader to the Book, and which, because somewhat Scarce, I think to have reprinted.

The other Person of the Presbyterian Communion I shall refer to for this, is the Author of a learned Tract in 4^{to} printed in the year 1650 called, *An EXERCITATION concerning USURP'D POWERS*, wherein the Author very substantially proves that by virtue of the Obligation to the King's HEIRS and SUCCESSORS resulting from the Oaths of Allegiance and Supremacy, it is not lawful to give up ones self to the ALLEGIANCE of an USURP'D Power: and saith very well in p. 16, If I should do that, I should yield assistance to the Usurper in his wrong Doing and Usurpation, and so become a partaker of his Sin. Obedience to one as the Supreme Magistrate is a Comprehensive thing, and includes many duties toward him, as a Power, viz. of receiving Commission from him for Offices, or Acts otherwise not competent to me: maintaining and defending him in his Power by Pay, Counsel, and Intelligence, Arms and Prayers: all which I am bound to yield the Usurper to my power, if I resign my Allegiance up to him: and how shall I do these things, and not, 1. Support and have Communion with him in his wickedness. 2. Combine against, betray and resist the right of the injured, dethroned Magistrate. 3. And make myself incapable of Obedience or being a Subject to the lawful Power hereafter?

The Author doth in p. 19 and many other places in this Book, assert the forementioned Clauses in the Oaths of Allegiance and Supremacy as binding clearly, plainly, and in terminis to an Allegiance over-living his Majesties Person and pitched upon his HEIRS and SUCCESSORS, so that the Swearer is not free from the Oaths at his Majesties decease, &c. and that those Oaths intend by his Majesty's HEIRS and SUCCESSORS the same Persons joyning them together with the Copulative (AND) and not using the Discretive (OR) and the former Oath twice comprising both in the following Clauses, under the said Term or Pronoun (viz. THEM, THEIRS) so that according to these Oaths his HEIRS are of right his SUCCESSORS, and none can be HIS SUCCESSOR, but HIS HEIR, while he hath an HEIR: and that if any Conspiracy or ATTEMPT be made to prevent his HEIR from being and continuing his SUCCESSOR, or to make any one HIS SUCCESSOR that is not HIS HEIR (if he hath one) the subject is sworn by this Oath to continue his Allegiance to HIS HEIR as the right SUCCESSOR, and to DEFEND HIM in that HIS right to the uttermost: and that the Term LAWFUL annexed to SUCCESSORS in the Oath of Supremacy, manifestly excludes all CAVIL of a distinction between HEIRS and SUCCESSORS: the word LAWFUL whether you interpret it of LEGITIMATION of BIRTH, or PROXIMITY of SUCCESSION in regard of LINE according to the Law of the Land entailing the Crown on his Majesty's Issue, or rather both the latter including the former, restraining SUCCESSORS from meaning any other than HIS HEIRS: and that both these Oaths bind the Swearer to assist and defend to his uttermost Power against all Attempts the Course of SUCCESSION in the Race of his Majesty, expressed by many Terms, to wit, THEIR Crown and Dignity, all Jurisdicions, Privileges,

leges, Preheminences and Authorities granted to the King's Highness, HIS HEIRS and SUCCESSOR and united to the Imperial CROWN of this Realm. How then can he yield Obedience to them that are not HIS HEIRS, nor LAWFUL SUCCESSORS, &c. how can he not oppose and withstand them in the assistance and defence of the right of his Majesty's HEIRS and LAWFUL SUCCESSORS?

That judicious *Author* did like a substantial *Confessor* of the *Obligatoriness* of those *Oaths* relating to the King's *HEIRS* and *SUCCESSORS* during that *Usurpation*, very satisfactorily shew, that the *SAME* Persons were meant by *both*, and held himself obliged in Loyalty the rather so to do, because in that *Conjuncture* the plain Sence of the *Oaths* of *Allegiance* and *Supremacy* were *usurp'd* upon, and particularly by the *Book* called, *THE LAWFULNESS OF OBEYING THE PRESENT GOVERNMENT*, then published, and the *Fallacies* in which he *Learne*dly *Confuted*, and shewed how ridiculously that *Book* outraged the sense of the *Law-givers* in those *Oaths*, whose end was to support the *Crown* in a just *Lineal* Succession, and could therefore intend by *Successors*, only such as were *de jure* so: and that therefore that *Book's* taking *Successors* for such who were so *de facto* (tho very unjustly) was; 1. *Inconsistent with the nature of an Oath, which must be taken in Righteousness.* Jer. 4. 2. *That is to oblige only to that which is just.* 2. *With the word HEIRS, which being placed first in the Oath must first be served.* 3. *With the Oath of Supremacy which binds us to the lawful Successor.* 4. *With the Law of the Land which appointeth Succession to the Heir.* 5. *With a possibility of keeping the Oath: for if Heirs and Successors mean divers Persons, how can the Oath of Allegiance and defence of the Regal Dignity be observed?*

Thus it seems as the *Fantome* of *hæres viventis* hath frighted many out of their *Natural Senses*, and the *Natural sense* of their *Oaths* in the present *Conjuncture*, the word *SUCCESSORS* did formerly: and when they who interpreted it of *actual* Succeeders (as saith my *Author*) that it might favour the *USURPERS*, forgot what was the *Object* of that *Succession*, viz. a *CROWN* and *Regal Dignity*, wherein by *virtue* of that *Oath* those *Successors* are to be defended, whereas those or the *Republicans* for whom the *Book* pleads, have not only put by the *rightful Successor*, but abolished the *CROWN* and *Regal Dignity* it self.

May this instance of *Heavens uncrowning* the understandings of those *Republicans* of common reason and sense (and when in the *Course* of their *injudicious* minds they were abandoned to the most despicable sort of *Counterfeit Witt* called *Quibbling*, and to the vilest sort of *Quibbling* and *double entendre* of words, I mean in that which concerns the tremendous *Obligation* of an *Oath*, after they had *Dethroned* their *Prince*, and excluded his *Heirs* and *Successors*) serve in all *Future times* as a *Monument* of the *Divine Dereliction*, and of *Heavens scattering the Proud* in their *reasons* and *imaginations* of their *hearts*, and rendring them *unfortunate* beyond the fate of the common saying of *Eventus stultorum magister*, I mean by condemning them to a *stated infatuation*: and let none hereafter value any *Usurpation* on the *Credit* of the *last*, as *Mr. Jenkins* in his famous *Petition* to the *Usurpers* did, and set *God's Seal* to it on the account of the *Event*, when the *Event* was what I have now mentioned.

Any one who will cast an *Eye* on the *Title de verborum significatione* in the *Civil Law*, will there find the word *Heir* to be necessarily made *Compre-*

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hensive of SUCCESSORS, viz. *Hæredis significatione omnes significari SUCCESSORES credendum est, etsi verbis non sint expressi*; and Succession is under that Title of the Law made a part of the definition of inheritance, viz. *Nihil est aliud hæreditas quam successio in universum jus quod defunctus habuit.*

And the identity of the thing in the words of Heirs and Successors doth quadrare with that saying so frequent among the Civil Law Writers that *Plura quando copulantur ad unum effectum, loco unius habentur*, and with another that the word & sometimes *stat declarative inter duo idem importantia.*

I should account it somewhat like *Pedantry* to cite any *Latine* Authors about Heirs and Successors signifying as here in our Case the same thing, but that other Seditious Books beside that impugned by the *Exercitation*, have endeavoured to sow Contention between the words Heirs and Successors, tho with as little sense as was in Sir W. J's fancy of *Treason*, whereby he would have set the *Affertory* and the *Promissory* Clauses in the Oaths of *Allegiance* and *Supremacy* at variance, nay the *Promissory* Clause at variance with it self.

There was a Book writ by a late Lawyer called, *Historical Discourses of the Uniformity of the Government of England*, first printed in the Year 1647, and reprinted by some Factious *Anti-Papists* since the *Epoche* of our Fears and Jealousies of Popery; and with that former year in the Title (which was an ill ominous sign of the fatal time such Persons would have driven us back upon if they could) where in p. 279 of the 2d part ill reflections are made on the Oaths of *Allegiance* and *Supremacy*, which Oaths (saith the Author) do make much Parly concerning Inheritance and Heirs: but that they do not hold forth any such Obligation to Heirs otherwise than as supposing them to be Successors, and in that Relation only. His design is too plainly express'd, viz. to strike at the Rights of our Hereditary Monarchy, and to invite Parliaments to interlope in controuling the Succession of the Crown: and he saith, That the Doctrine he there insinuates doth not go down well with those that do pretend to Prerogative, aided by the Act of Recognition made to King James, and the Oaths of *Supremacy* and *Allegiance*: and I shall say that I hope it never will: and 'tis pity but a Book that in so many places of it impeacheth the old known Rights of the Crown, should in this Conjunction of Loyalty find some Person at leisure ex professo to make *Animadversions* on it, and the rather for that the Author doth in the Vehicle of somewhat like *Witt* (and his affectation of which is by People of middling Capacities, who generally make the greater part of Mankind, judged to be *Witt*) dispense his Poysons.

Yet as to the signification of HEIRS and SUCCESSORS, he had before in his first part saved any one the labour of shewing their Identity: for there in p. 109 and in his Chapter of the Laws of Property of Lands and Goods under the Saxons, he quoted *Tacitus* about some of the Customs of the Germans which he judged remain'd here with them, and which shewed that HEIRS and SUCCESSORS passed then as current Coyn for the same thing, according to the words of *Tacitus*, *HÆ-REDES & SUCCESSORES cuique liberi & nullum est testamentum*, and thus Englished by that Author, viz. the HEIRS and SUCCESSORS to every one are his Children, and there is no Testamentary Power to DISHERIT or ALTER the COURSE of DESCENT which by CUSTOM or Law is settled.

And as was shewed, the Term of *LAWFUL* annexed to *SUCCESSORS*, hath nailed the Canon of that Sophism, and exposed the *ridiculousness* of any *Cavilling* or *Calumnious* Interpretation about *Heirs* and *Successors*: tho yet without the interposal of the word *LAWFUL*, the plain sense of the words *Heirs* and *Successors* in the *Oaths* would clearly enough have obliged us to the *same* Persons. We say, that *id possumus quod jure possumus*, and none are to be construed *Heirs* or *Successors*, but such who are so in the Eye of the *Law*, and with reference to *Proximity* of Blood, *i. e.* they who are meant for such by the *Law* in the Due Course of their Descent.

But I hope that *England's* happy *Future State* will so far influence *Loyalty*, as to incline all Conscientious *Protestants* to leave of all senseless *Cavilling* about the sense of the plain words in those *Oaths*, and to agree to employ their most serious and constant thoughts about the extent of the Moral Offices that relate to their bearing *True Faith and Allegiance to the King, his Heirs and Successors*, and other very important matters in the *Promissory* Clauses most clearly expressed in order to the discharge of their *Allegiance*, and the duties of *Loyalty*, viz. *DEFENDING him and them to the uttermost of our Power against all Conspiracies that shall be made against his or their Persons, their Crown and Dignity*, as the *Oath of Allegiance* runs, and to our *ASSISTING and DEFENDING to our Power all Jurisdictions, Privileges, Prebeminences and Authorities granted or belonging to the King's Highness, his Heirs and Successors*.

There are no *unweigh'd* and *idle* words in the *Promissory* Clauses, and we are to make it our business with the judgment of discretion to consider the sense of the same, and to retain it in our Memories: and mens not doing which, hath been the Cause of the *Ebb* of *Loyalty* in some *Conjunctures*. According to the Degrees of mens intellectual Talents, and particularly the Talent of understanding beyond other men, the *Laws natural* and *positive*, and the *Lex terræ*, some are beyond others morally bound to defend the particular momentous points relating to all *Jurisdictions, Privileges, Prebeminences granted or belonging to the King and his Heirs and Successors*: and therefore a disloyal *Divine* and a disloyal *Lawyer*, are things that do particularly bear very ill.

But as there is a great part of the *Moral* Offices expressed in these *Oaths* sufficiently plain and obvious to vulgar Capacities, and which with their Native Light do strike common understandings, so the extent of these *Offices* ought to employ the Meditations of all the Takers of these *Oaths*; and how low soever their *Talents* lie, they are to use all the means they can, and particularly that of the *Consilium peritorum*, as any occasion shall offer it self, for their defence of any of the *Privileges* or *Prebeminences* belonging to the Crown. Our duty in this kind is very well expressed by *Sanderfon* in his third *Lecture*, where speaking of the Subjects Obligations by *Oaths* of this Nature, he saith, *Doubtless the Subject to his Power is obliged to defend all Rights which appear either by Law or Custom Legitimate, whether defined by the written Law, or in force through the long use of time or Prescription, that is, so far as they are known, or may Morally be known. But he is not equally obliged to the Observation of all those which are controverted.* Thus therefore as to any *Jurisdiction, Privilege* or *Prebeminence* of the Crown that might seem doubtful, the swearer is many times bound to the use of means that it may be *Morally* known to him, as *Sanderfon's* words are.

Yet

Yet what I have urged in this *sixth Conclusion* as *Obligatory* to us by virtue of the *Oaths*, is sufficiently plain, and there is no occasion for employing a great *Genius* and *penetrating Understanding* and *Witt* to discover that it is one of the *Privileges* of the *Crown* to be *Hereditary*, and that the *Taker* of the *Oaths* is indissolubly bound to defend that *Right*.

There are several explicatory Notions of the word *DEFEND* and its extent, that often occur in the Authors that treat expressly of the *Jus Protectitium seu defensorium*, among whom I account *Magerus de Advocatiâ armatâ* or of the *Right of Protection* given by Sovereign Powers, to be *instar omnium*, and who in the 12th *Chapter* there Critically descanting on the nature of the *Defence* granted by *Protectors*, saith, That *verbum protegere necessitatem defendendi cum armis importat*, and that *protector, si in defensionis promissione jamentum appositum fuerit, etiam non requisitus, clientibus succurrere tenetur*: and that *defendere non videtur, qui in totum non defendit*: and that *effectum defensionis non dicitur consummatè implere qui non omni tempore, auxilio suo ac defensione præsto est*. He there likewise tells us, that *subditi tenentur defendere honorem Regis*: and that *DEFENCE* is too performed by *Words* as well as *Deeds*: and mentions how in *solenni fidelitatis juramento vasallus se ad id obstringit quod vitam & honorem famamque Domini non solum non violare, sed & contra aliorum conatus pro viribus defendere ac propugnare velit*.

But none need look *abroad* for the genuine importance of the word *DEFEND*: for any man of common sense who hath taken the *Oaths* knoweth by the *Recollection* of his ordinary thoughts what it is to *DEFEND* himself, and how natural it is for the *hand* to lift up and expose it self to *defend* the *head* from danger, and knoweth by the *Call* of the *Magistracy* when and where and how by *Arms* to defend his *Prince*; and natural *Logick* tells him that he who in these *Oaths* hath bound himself to *ASSIST*, hath certainly bound himself not to *RESIST*, and that *defendere qui tenetur offendere non debet*: and that therefore whoever hath taken the *Oaths*, and alloweth the *Doctrine* of *Resistance*, is a real *Heretick*, and *Self-Condemed*: and that according as it is neither deniable nor denied by those who talk of *hæres viventis*, the *Taker* of these *Oaths* hath *bonâ fide* and in the good faith of a *Christian* promised the same vigorous defence of the *Rights* of those *Heirs* and *Successors* in the first moment of the *descent* of the *Crown* to them, that is to say, immediately on the *King's Decease*, that he is to perform as to the *Rights* of the present *King*, and that here being a *Promise* of *Defence* to the *King* and his *Heirs*, *Promittens duobus vel pluribus, dicitur promittere separatim & cuilibet pro virili*: and that the *Rights* of the *Prince Regnant* are not in the least prejudiced by this *Promise*, for that *obligatus duobus in solidum, est obligatus secundo, salvo jure primi*, and that *verba sunt intelligenda habito respectu rei & personæ ad quam referentur*.

And the word *BELONGING* i. e. *All Jurisdictions, Privileges, &c. Granted or BELONGING to the King's Highness, his Heirs and Successors*, as it sufficiently ensures our *Obligations* of *defending* the same to our *Kings* in *Case* of *Usurpation* made against them, how prosperous soever it may be, so it ensures our *Obligation* of the *defence* to his *Heirs* in the due *Course* of the *Descent*: and holds our hands from paying *Allegiance* to any *Usurper*. The *Law of God* and the *Land* sufficiently shew to whom those *Jurisdictions, &c.* *BELONG*, that we have sworn to *defend*:

send: and the Civil Law doth here appositely tell us, that *Possessio etiam animo retinetur*, and doth account the very fraud that may exclude a right Heir to be *Tantamount* to a *Possession*: *Quia pro possessione dolus est*. And according to that Law, *Qui actionem habet ad rem, ipsam rem habere videtur*: and *habere quilibet dicitur quod jure petere potest, sive de quo actionem habet*.

And on the whole matter, if the Oaths of Allegiance and Supremacy are Lawful Oaths (as all except Roman Catholicks grant) it must likewise be granted, that the Takers of them are indissolubly bound to the utmost of their Power, against all Usurpers and Usurpations to defend all Jurisdictions, &c. BELONGING to the King, his Heirs and Successors as aforesaid: and the very same Arguments that were prevalent with the Takers of those Oaths formerly not to take the Engagement, nor to pay Allegiance to the then Usurpers, do militate, and are very cogent and concludent for others who have took those Oaths not to pay it to any but to the King, and to his Heirs and Successors in the Due and Legal Course of Descent, and for the defence of all Jurisdictions, &c. respectively belonging to them: for according to the words in the forecited Exertation, The manifest drift of the Oath of Allegiance being the continuance and assurance of the Crown (upon concession of his then Majesty's just Title) to his Heirs in Succession after Him and ONE ANOTHER lineally, and the defence of them therein against all OTHER Corrivals and Opposers, it is plain that the defeating the Succession in its Due and Legal Course of Descent in any one Case, will be an Usurpation not only of the Right of the Lawful Heir and Successor according to the Proximity of Blood, but of the Right of the Hereditary Monarchy it self sworn to be defended as aforesaid. It is therefore no marvel that some of the Learned and Loyal Writers of the Succession have judged that any such defeating of the Succession as aforesaid would be Criminal in the same kind as the late Usurpation was.

It may be well supposed that many mens so seldom and so superficially thinking of those Oaths occasioned their Miscarriages during the former Rebellion and Usurpation. Unthinking men generally take those Oaths as Pills only to be swallowed down, and pro forma only, and when gilded over with an Office of Gain. But to a loyal and rectified mind the frequent sense of the Moral Offices resulting from those Oaths is as pleasant as any thing can be to the Taste: and according to that saying in Job, For the Ear tryeth words, as the Mouth tasteth meat, a man loyal to the degree required by those Oaths, will not only nauseate all Principles of Sedition as rank Poyson, but will be able so critically to try the words in any Sayings that sound popularly and that are used by Demagogues, as to find out what in them is wholesome and what poysonous: and accordingly as for example the excellent Sanderson did in the Maxim of *salus populi, suprema lex*, and did make the *salus populi* to include that of Kings.

And to this purpose if any will by the Touch-stone of this my 6th Conclusion try that Maxim that among all Demagogues so much passeth for currant Coyn, he will find it not to be Sterling, viz. That People were not made for their Kings, but their Kings for them: and this saying is partly favoured by what Tully saith in his Offices, viz. *Ut tutela, sic procuratio Reip. ad utilitatem eorum qui commissi sunt, non ad eorum quibus commissi est, gerenda est*. But after any one hath seriously weigh'd this Maxim, he will find that Kings and their People were made for, and are under natural Obligations to one another, and accordingly as it may be said that

Parents and Children were made for one another and to defend one another: and to this purpose the *Psalms* words are, *Lo Children are an Heritage of the Lord, and the Fruit of the Womb is his Reward; as Arrows are in the hand of a mighty man, so are Children of the Youth; happy is the man that hath his Quiver full of them: they shall not be ashamed, but they shall speak with the Enemies in the Gate.*

But in my further enquiry into the Obligation relating to his Majesty's *Heirs* and *Successors* that results from those *Oaths*, my 7th *Conclusion* shall be, that the *Takers* of these *Oaths* are bound thereby against attempting or endeavouring by any new *Law* or *Constitution* to interrupt the Succession of the Crown in its Due and Legal Course of Descent.

I do account that the foregoing *Conclusion* hath cut the Grass under the Feet of any who have taken those *Oaths*, and yet would have thus interrupted the Succession, and makes such interruption of its Course not only unlawful, but to be a nugatory, ridiculous and unaccountable thing.

For since by the known Rights of the Crown, the next Heir to the Crown is in the next Minute after my King's decease actually King, and I am necessarily and indispensably bound to pay actual *Obedience* or *Allegiance* to him then, and have already sworn that I will then expose my life in his defence, and the defence of his Crown and Dignity, it is manifest folly in me to attempt the interrupting the Succession by excluding the Right Heir, whom I have thus indispensably bound my self to defend, and to obey, and who perhaps by the Course of Mortality, and Kings who are nominal Gods coming to die like men, may within a few Minutes after my having taken the *Oaths*, be entituled to my born and sworn Allegiance. *Dolo facit qui petit id quod mox redditurus est.* But, a sorry and pitiful trick it is and as remote from the subtilty of the Serpent as the innocence of the Dove, that any Swearer would put on himself, who attempted to injure any Prince by going to exclude him from the Allegiance that he is to pay him perhaps the next Moment.

We are well minded by Sanderſon in his second Lecture, That simplicity becomes an Oath, and that the Swearer is to endeavour to perform what he hath promised, without fraud, deceit, double dealing or simulation: and he elsewhere questioning whether the words *by my faith* are an Oath, saith, That tho by the Custom of some Countries, or the intention of him who speaks, they may be an Oath, yet necessarily by virtue of those words an Oath ariseth not, but only an asseveration, or an obtestation: and he had before mentioned how Soto did judge the words *by my faith* to be an Oath: but the words *in faith* to be none.

But others have judged that when on the word *fides* (the which is *justitiæ fundamentum*) the word CHRISTIAN is built as an Addition, the compleat Fabrick of an Oath is thereby raised: and with the weight of those great words before referred to, the Oath of Allegiance concludes, viz. *And I do make this Recognition and Acknowledgment heartily, willingly, and truly upon the true FAITH of a CHRISTIAN. So help me God:* which sheweth that those words did not casually nor indeed without profound deliberation there come in.

When the true faith or the bona fides of a Roman, did so much scorn to put a trick upon a Law, doth not the true faith of a Christian more abhor to put one upon an Oath?

I have in my second Conclusion asserted it in general, that the Taker of all Promissory Oaths is bound to endeavour for the Future, as much as in him

him lieth, by his Deeds to fullfil what he hath sworn in words ; and here applying the same particularly to the King's Heirs and Successors, I will ask if it be congruous to *bona fides*, i. e. *Common honesty*, if I am bound by Law to pay a Debt and have promised and sworn to pay it, for me to endeavour by any new Law to evade its payment ? I have heard of a Will made void by Act of Parliament : but after the Executor had sworn to execute it well and truely, and to pay the Debts and Legacies of the deceased as far as the Estate extended, could he *bonâ fide* and with a *Salvo to Conscience*, endeavour to quash it by the Legislative Power ?

Nihil ita fidei congruit humanæ, quàm ea quæ placuerant custodiri. i. e. Nothing is so suitable to *common honesty*, as that those things that have been once assented to should be observed, is a known saying in the Civil Law ; and so is that of Ulpian in the Digest, *Bonæ fidei non congruit de apicibus juris disputare* : and it being a Rule of Law there, that *Cum quid unâ viâ prohibetur alicui, ad illud aliâ viâ non debet admitti.* i. e. that which cannot be done one way, or directly, must not be done indirectly or by another : and it being construed, that whoever acted contrary to this, did *fraudem facere legi*, do I to the uttermost of my Power, and on the true faith of a Christian, defend his Majesty, his HEIRS and SUCCESSORS against all Attempts which shall be made against his or their Persons, their Crown and Dignity, and assist and defend all Jurisdictions, Privileges, &c. belonging to the King's Highness his HEIRS and SUCCESSORS, if afterward to the uttermost of my Power I endeavour to dis-inherit the lawful Heir, and to exclude him from the benefit of his inherent Birth-right by an extraordinary means ? Is not the attempt or endeavour to effect this, to be accounted fraud, according to that Rule of Law, viz. *Fraudis interpretatio semper in jure Civili, non ex eventu duntaxat, sed ex consilio quoque desideratur* : and which follows after the Rule, viz. *Generaliter cum de fraude disputatur, non quid habeat Actor, sed quid per adversarium habere non potuerit, considerandum est* ?

'Tis a true old saying, that *fallacia pactorum dolum semper habet adjunctum* : and *omnis calliditas, fallacia, machinatio ad circumveniens, fallendum, decipiendumve alterum adhibita* are made to integrate the definition of *dolus malus* by Labeo in the Digest. And is it not a known Rule among all the Writers of Defence, that *Defensio bonâ fide præstari debet*, and that *Promittens aliquid facere, quod contrarium illius non sit facturum, promittere censetur*, and that *defensionem promittens, non tam læsionem illatam avertere quam inferendam præcavere debet* ? And can I without outraging the true faith of a Christian and the Christian simplicity and sincerity and singleness of heart, and the Apostles Precept, that no man go beyond and defraud his Brother, project any Law to exclude those from their Birth-right, whom I have promised in express words to defend ?

When the Morality of Cicero extended to the inculcating it in one of his Orations, that *Est aliquid quod non oporteat, etiamsi licet*, and when he in his Offices renders it to be *inhonestum, injuriam alteri non propulsare*, and when the Rules of Law could tell us that *Non omne quod licet, honestum est*, and when Seneca could condemn the innocence as poor that was not more than the Law required, and thereupon say, *Quanto latius officiorum patet quam juris Regula ? Multa pietas, humanitas, liberalitas, justitia, FIDES exigunt, quæ omnia extra publicas tabulas sunt*, and when that St. Paul hath ennobled the Moral Offices of Christians by enjoining in his Epistle to the Philippians, the practice of *whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure,*
whatsoever

whatsoever things are lovely, whatsoever things are of good report, &c. it may well be expected that the true faith of a Christian should prevail on Christians not to attempt the compassing of any thing by a new Law contrary to what they have by their Oaths promised to defend, and contrary to the old Fundamental Laws of the Land.

And having thus far proceeded, my 8th Conclusion shall be, that our Obligation thus relating both to the King and his Heirs and Successors doth clearly arise from those Oaths, without any Condition on his or their part to be performed, and particularly without any respect had to what Religion they shall profess. We know that *Juramentum limitatè præstitum, limitatum producit consensum & effectum*: but 'tis likewise as notorious that there is nothing of limitation, no I F S or A N D S in these Oaths: and therefore that known Rule of *Non est distinguendum, ubi lex non distinguit* must here take place in the Court of Conscience.

Sanderfon in his 4th Lecture saith, If two oblige themselves mutually in promises of different kinds, or not at the same time, or otherwise without mutual respect, Faith violated by the one, absolveth not the others Obligation, but each is bound to stand to his Oath, tho the other hath not performed his part. For example, A King simply and without respect to the Allegiance of his Subjects, sweareth to administer his Government Righteously and according to Law. The Subjects at another time simply and without respect to the Duty of the Prince, swear Allegiance and due Obedience to him. They are both bound faithfully to perform their several Duties: nor would the King be absolved from his Oath, if Subjects should not perform their due Obedience; nor Subjects from theirs, tho the King should turn from the Path of Justice.

Mr. Ny doth therefore in a printed Treatise of his very well for this purpose cite Bishop Bilson, and saith, That Bishop Bilson, a great Searcher into the Doctrine of the Supremacy of Kings, giveth this as the sense of the Oath, viz. the Oath (as saith the Bishop) expresseth not Kings duty to God, but ours to them: as they must be obeyed when they joyn with truth, so must they be endured when they fall into Error. Which side soever they take, either Obedience to their Wills, or Submission to their Swords is their due by God's Law. And tho some ill Anti-Papists have ridiculed Passive Obedience, after they had given the *Cautio juratoria* against their owning the Doctrine of Resistance, Mr. Ny, doth very particularly, in p. 138 of that Book, inveigh against that Doctrine, and saith, Nor if they were able (i. e. to resist) is it lawful for a Church to compel by the Sword; more than the Magistrate may by the Keys, or what is peculiar to the Sacred Function. Uzza erred in the latter; and Peter in the former. The Primitive Rule and Practice was this; Being persecuted in one City to fly into another, and pray that their flight may not be in the Winter.

I have read a Manuscript Book of Mr. Ny called, *A Discourse of Ecclesiastical Laws and Supremacy of the Kings of England in dispensing with the Penalties thereof*, where he asserts throughout the Legality of his Majesty's Declaration of Indulgence, and the Book was writ professedly for that purpose, and he there doth very rationally inculcate the unlawfulness of Exclusion, as in his other Book he did the unlawfulness of Resistance, and saith, That Civil Rights and Claims, and Temporal Things, are the immediate and intrinsic Concern and Interest of all States. *Dominium non fundatur in gratiâ*. The just Claim of a Prince may not be interrupted upon account he is of this or that Religion or Perswasion. Nor may a Subject be justly banished, imprisoned, confiscated, or ruined on the mere account of Religion,

gion, or because his Conscience is not cast into the same Mould with the Prince, or present Establishment. It is *POPERY* to deny Allegiance to a Prince, or Protection to a Subject upon the account of any such difference.

It is therefore no wonder that our Ancestors framing the Oath of Allegiance would have no Principle of Popery therein favoured by a side Wind; which according to Mr. Ny's Sense must have happen'd, had there been any distinguishing reserves, or limitations or restrictions in the Oath, respecting the Religion of our Princes.

And because many men have been in this Conjunction of time tempted to strain their Oaths and their Consciences, by excessive Fears and Jealousies relating to Religion, (and as if God could not Govern the World but by Princes and their Subjects being of the same Religion) and because Mr. Ny's judgment is of great Authority among many of our Religious Dissenters, I shall here insert somewhat more out of that Manuscript of his, that falls under this Consideration, and which is indeed writ with great Weight and Authority of reason, and worthy the Writers great Abilities.

He having there put a Question relating to Religion and the Worship of God being the great Concern of a Nation, and to the trust of dispensing with the Penalties of Ecclesiastical Laws, saith, In answer to it, I endeavour to unfold, 1. In what sense Religion is the Concern of the State. 2. The nature of this Trust: and as to the first he saith, The moment and weight of a matter in our deliberation hath its proportion as either under an absolute, or respective Consideration. Wisdom is better than Riches in it self absolutely: but not in respect to the support of this present life. The knowledge of God and Divine Things is better than to know the Virtue of Drugs and Plants; but not in respect to the Study of Physick; so Religion and the Worship of God is the chiefest and better part in it self considered: but in its respective Considerations as to the Family of a particular Person or Community of men for the advancement of Civil Affairs, there are OTHER qualifications and inducements of greater Consequence, and more directly and immediately tending to the being or well-being thereof. That there be no mistake in this great Concernment, I further distinguish: There comes under the Notion of Religion, the Holyness and Righteousness that is of the Moral Law, Principles whereof are in all mens natures, and attended in their actings by a natural Conscience. 3. Gospel Duties directed and ordered by a supernatural Light, no Principles or Footsteps whereof are found in us. For the former, Religion in the first sense, as the knowledge of God, Conscience of an Oath, Justice, Righteousness in our dealings, &c. are such things wherein the well-being of Kingdoms and Commonwealths is much concern'd. But Religion as it stands in exerting supernatural Principles, and in Duties termed the Commands of Christ (as the other the Commandments of God, Jo. 15.) Such as Faith, Repentance, Sacraments, Discipline, and the like Gospel Ordinances; in the Duties under this Head considered and as distinct from Moral Duties, there is little or nothing directly and immediately contributed by them to Mens civil interests, further than where these supernatural Vertues are planted in Mens minds, the Moral Duties of Piety and Honesty do more plentifully abound and are in exercise. As these Moral Duties do more immediately concern the Common-wealth, so the Laws thereof are principally drawn forth out of them, especially the second Table Duties, forming and building them into Municipal Laws under Penalties and Encouragements greater

or less, as in the Wisdom of a State is judged most conducing to the Well-fare thereof. For these Gospel-mysteries it is otherwise. For as they contribute to us in our Civil Government no otherwise than as before mentioned, so is there little contributed by the Wisdom or Authority of any State, advantageous to the Gospel, but Protection, or being a defence upon the glory of it. If Adam had stood all Common-wealths, had been prosperous and flourishing, and yet no Faith, no Christ, no Repentance, nor any Gospel-Worship known or professed. And since the fall, you have had well govern'd Kingdoms among Heathens and Turks that never received Christ or Gospel-Worship. It is with States as with particular Persons in Commerce: another mans Estate or Trade or Credit or any other Civil Concern with whom I have to do, is not prejudiced or better'd by Omission or Practice of what is a mere Gospel Duty. If a man I deal with be unjust, lye, steal, &c. my world'y Interest is prejudiced hereby: but whether he repent, or exercise faith in Christ for forgiveness of Sins, and humble himself, I am neither gainer nor loser in my Civil Concerns. Now it is Gospel-Worship, Gospel-Religion we profess in this Nation, &c.

The Christian Religion having suffered so much by so many Pedantly and Bigottish Writers having mis-represented it as an Invader both of the quiet and business of Princes and Governors, and as if the necessary different Sentiments in Religion according to mens several Capacities, were still to give the Political Conduct of the World unnecessary trouble, and as if God who was in Christ reconciling the World to himself, design'd by any various Religionary Notions to render Christian Princes and their People irreconcilable to one another, and (as I may say) to make the World irreconcilable to it self, I am glad when I find the Subject of Religion by falling into the hands of any man of large and noble thoughts, to have right herein done it, as particularly hath thus been done it by Mr. Ny, who had made Religion and Politicks very much his Study: and I can refer the Curious to a Great Man of the Communion of the Church of Rome, with some of whose Notions in this Point Mr. Ny's were partly Co-incident, as any may find who will consult the 2d Volume of the Memoires of Villeroy, whose great Character is Recorded by the Bishop of Rhodes in his History of Harry the 4th of France, and to whom he was Secretary, and was so before to Charles the 9th and Harry the 3d, and afterward to Lewis the 13th, and the greatest part of D'Ossat's memorable printed Letters from Rome was to him with high respect Addressed. In the beginning of that Volume we have his Discours de la vraye & legitime constitution de l'estat, & que l'ordre y est, encore que la Religion n'y fust: and in p. 6, he discourseth of this Subject, viz. L'estat, & la Religion n'ont rien de Commun: and in p. 11. there his Subject is, That l'estat n'est estably ny mainteny par la Religion, ains la Religion conservée par l'estat: and in p. 16. his Theme is, That la difference de Religion n'empesche point la paix de l'estat: and in p. 19. he discourseth of this Assertion, That Le Prince ne doit etre considéré pour sa Religion, mais pour ce qu'il est chef du peuple.

It may moreover be supposed that God in his Government of the World, and in his care for the Church in particular Countries, when he thinks not fit to incline a Princes mind to receive the same Religionary Sentiments that the generality of the People owns, doth yet often endow him with those Moral Vertues and habitual inclinations whereby he is much better qualified for the Protection of the People than any can imagine him to be by Orthodoxy in the Speculative points of revealed Truth.

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The Church we know is in Scripture represented as a helpless Minor, and Kings are there mentioned to be its Nursing Fathers: and thus the Canon Law tells us, that *Ecclesia fungitur vice minoris*, and the Canonists, that *à minoribus ad Ecclesiam valet argumentum*. It is here therefore obvious to consideration that Power and moral Honesty and Diligence and Courage and Discretion are the chief endowments requisite for the protection of an Orphans Person and Estate. We find these sayings commonly used by the Roman Catholick Authors who treat of the Rights of Protection granted by Sovereign Powers, viz. *Religio cum protectionis jure nihil commune habet*: and *Religionis communio propriè nulla homini cum homine, sed homini cum Deo*: and *Religioni cum juribus Gentium nulla est necessaria conjunctio*: and on these grounds Mageras in his 8th Chapter of his *Advocacia armata*, raising the Question whether Roman Catholick and Lutheran and Calvinist Princes may lawfully protect and defend one another, determines that they may; and that they ought so to do, pursuant to the agreements of the Interim and other *pacta Conventa*: and in his 16th Chapter he refers to the settlement of the Confraternities in Germany between Princes of several Religions, and particularly of that settled between the Dukes of Bavaria and the Count Palatines of the Rhine, *Tam quoad honorum & principatum, quam dignitatis Electoralis successionem*, and which was not to be dissolved by either of those Electors changing their Religion. And the same reasons are assign'd by him and other Writers of the *jus Protectitium* for the lawfulness of Christian Princes protecting Jews, Turks, and Infidels: and it passeth among them as the common opinion of the Canonists and Civilians, *Infidelitatem non privare quem jure naturali, dominiove rerum aut provinciarum*.

And as I have already referred to the Instance of Abraham in obliging himself at once to Abimelech and his Son, and his Sous Son; I shall here cast my Eye on Abimelech as an Idolater, and take notice that the aforesaid Father of the Faithful, and by whose Bosom Heaven is represented, and who had the honour done him by Holy Writ, to be called the friend of God, and by the Chronological Writers of Memorable Things to be called *Inventor fœderum*, (and most worthy of him, as being the friend of God, it was, to be the Inventor of Alliances and federal friendship with men) did make that first Alliance with an idolatrous Prince and with his whole Race of Idolaters in Prospect.

If then it is an allowed judged point by the consent of Parties, That Religion is out of the Case when one Prince doth freely protect another, and his Subjects of different Religions, it may be thence very well inferr'd, That it is most reasonable and just, and ought not to any to seem strange that Subjects, who owe a natural Allegiance to their Princes, are indispensably bound to pay the same to them, and to defend all their Regal Rights without any regard to the Religion their Princes may profess: and on the other hand that Princes may oft protect their Subjects who differ in Religion from them, in the enjoyment of their Rights.

I grant that some Popish Princes abroad having rivetted the Inquisition into their Politicks, and being perhaps of harsh or bigotted dispositions, have out of a regret against Hereticks expelled Infidels from their Territories, and by which expulsion such Princes have been sufficient losers in this World: and a Case of which nature is particularly referred to by the Bishop of Rhodes in his History of Harry the 4th of France, who accounting the Moors in Spain to be about a Million, mentions the hard usage they there found, and that before they were thence expelled they applied

applied to *Harry* the 4th for Protection, once when but King of *Navarre*, and afterward when King of *France* and a *Roman Catholick*, and who then did no more doubt of the lawfulness of protecting them, than while he was a Protestant, however he forbore on Political grounds only to protect and defend them. Nor when he forsook the Communion of the *Protestant* Church were any of his *Heretical* Subjects used by him with any hardship on the account of the hard word of *Heresy*: and I believe his Notion of the *practicableness* of an orderly Political Government without reference to Religionary differences, was the same with his great Minister *Villeroy's*.

I have mentioned how Cardinal *D' Oflat* told the *Pope*, that if his Holyness were King of *France* at that time that *Harry* the 4th was, he would shew the *Huguenots* the same favour that *Harry* the 4th did; and shall observe it that in the famous printed *Oration* of Cardinal *Perron*, made to the 3d *Estate*, or *Commonalty* of *France*, tho he speaks of the *LATERAN* Council, and owns and asserts it to be a *general* one as strenuously as the Learned Bishop of *Lincoln* hath since done, and saith, *When that Council intended to provide for the extirpation and rooting out of the Reliques of the Albigenes, it ordained that the Princes who should become Contemners of the Council that Condemned the Albigenes, should be deprived of the Obligation of their Subjects fidelity to them*: yet he then adds, *And this I remember not for an Example to disturb or trouble the publick Peace or Tranquillity, seeing the Hereticks are here in so great a number as that they make a notable part of the Body of the Estate, &c.*

Here then I have named two Cardinals of as great real *Eminence* as any the Church of *Rome* could ever shew, who held it lawful for a *Catholick* Prince to protect his Protestant Subjects, notwithstanding the *Lateran* Council.

But what *Tacitus* speaks of the *Duty* of common Men, namely, that they should not penetrate *Abditos Principis sensus*, nay, be particularly applied to their Religion. And the *Apostles* Caution of *Who art thou that judgest another mans servant*, may here be improved by saying, *Who art thou that judgest thy Natural Liege Lord*, and particularly as to matters of Religion, wherein the most Antimonarchical Writers will allow them accountable only to God. And to any Protestant who having followed his judgment of Discretion, hath separated from the Communion of another Church, and yet shall Censure his Prince for so doing, those other words of the *Apostle* are justly applicable, *Therefore thou art inexcusable O man whosoever thou art that judgest: for wherein thou judgest another thou condemnest thy self: for thou that judgest doest the same things.*

The Christian Religion that hath enjoined us not only to defraud and injure, and offend none, and to love our Neighbour as our self, and extended that Neighbourhood to all Humane kind, hath likewise commanded us to *HONOUR* all men, and especially to render honour to whom honour is particularly due, and not rashly to judge another: and if men would imprint on their minds a serious Sense of the *Moral* Offices to which they are obliged by Virtue of those *Expressions*, they would soon be better guided in the Measures of their Obligations relating to the *King* and his *Heirs* and *Successors* without being tempted as formerly to exclude any of them from their Civil Rights on the account of Religion.

Ames in his *Cases of Conscience* doth well descant on those *Moral* Offices: and in his *Chapter of Charity to our Neighbour*, he assigns some particular *Cases*, in which, as to the actual exercise and effect of *Charity*, one is to love,

love, his Neighbour more than himself, and instanceth in our being in Temporal Matters obliged to prefer publick Persons to our selves, and saith, That all are to be reckoned among publick Persons concerning whom it is manifest that they are useful to the Realm: and in the Case of whom he determines it, That on their occasionally being in danger of their lives, we are to venture ours.

Are we not then, when we may without the peril of our lives defend the Civil Rights of an Heir of the Crown, who by the venturing his life hath supported the honour of the Realm, obliged to forbear excluding him from the benefit of his Birth-right? The Privilege of his owning the belief of Religious Propositions, tho differing from any other mens, was purchased for him by the Blood of Christ, and in using it, he doth but use his own Right, and consequently injures no man: and if we slight the offering his own blood to us, shall we too vilify, or (as I may say) endeavour to nullify in his Case the effect of the Blood of his Saviour?

Ames in his Chapter *De honore proximi* tells us, That Honour, according to the common Notion of it, doth denote the Testification of the excellence and worth of any one: and that such Testification thereof cannot appear before men but by Words and Actions: and that it likewise includes a congruous judgment and internal affection, in the which there is a kind of inward testifying before God: and therefore the solid Office of HONOURING doth chiefly depend on the inward acknowledgment of any ones worth or excellence. And afterward referring to the expresse Command in St. Peter of honouring all men, he saith, *Vix quisquam reperitur in quo non possimus aliquid observare in quo nobis est superior, si ex humilitate iudicium feramus.* Phil. 2. 3. and then speaking of impious men, saith, *Quatenus boni aliquid habent, justum ejus testimonium non est ipsis denegandum.* He afterward in his Chapter concerning rash judgment, shewing that it is a Sin and how, saith, 1. 'Tis a Sin of Levity against Prudence. 2. 'Tis contrary to the Principles of Nature, *Quod tibi non vis fieri, &c.* for no man is willing that his Neighbour should judge rashly of him and his Actions. 3. It diminisheth the good of ones Neighbour, and opposeth his Right: for that every man hath as much right to his good Fame, as to a depositum in any mens hands, till he himself has by his actings took it away. 4. It begets contempt of ones Neighbour, Rom. 14. 3. 10. by which means it happens that he is held unworthy of beneficial employments. 5. 'Tis an Usurpation of the judgment and Authority of God, who judgeth of hidden things: and in that Chapter raising the Question, Whether and how doubtful matters are to be interpreted in the better part? he answers, 1. That what is doubtful as to things, ought to be weighed according to reason, without inclining to either part. 2. That what is doubtful as to Persons, wherein their good or ill repute is concerned, is absolutely to be interpreted in the better part. 1 Cor. 13. 5. and that at least in such a Case we are not to judge ill of our Neighbour: and further, That we are so in common Offices or Duties to demean our selves to him, as if he were an upright man, since the contrary doth not appear to us. This is the judgment of Charity. And in his Chapter *De exemplo bono & scandalo*, he saith, That there must of necessity be Sin in every Scandal, because the ruine or Spiritual detriment of ones Neighbour is therein concerned. He there moreover doth inculcate one great point of Morality in order to the avoiding of Scandal, and saith, *Damnanda & horrenda est illa perversitas judicii qua solent multi quorundam labentium Casu aut hypocriseos detectione, alios professionem similem facientes, hypocritas idcirco*
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pronunciare.

pronunciare. Hoc est enim planè Diabolum imitari in piis accusandis & iniquâ suspitione gravandis, Job I. 11.

And having said all this, may I not ask if he *honoureth* his Prince who doth not think him wise enough to choose his Religion? When the fate of our Princes is usually to fix their Marriages with Relation to the well-fare of the State, and when their Favourites are so seldom permitted by the Populace to lie quiet in their Bosoms, and that 'tis a Princes Lot thus not to be like others, able to choose his Wife or his Friend, shall he not choose his God? since that *Verse* in *Phil.* 2d referred to, saith, *In lowliness of mind let each esteem other better than themselves*; doth he observe that Precept who esteems not his Prince as fit to be trusted with the freedom of choosing his way to Heaven, and the judgment of discretion as himself? since there are many qualifications of Excellence for the discharge of the Regal Office, that claim preference of a Princes Orthodoxy in the belief of the Mysteries of the Gospel, doth he *honour* all men, and particularly, give *honour to whom honour is due*, who when he sees the whole World agreed in the Fact of his Princes Heir being most signally, perhaps beyond any one of the Age, blest with those qualifications, shall instead of testifying *by words and actions such his Excellence and intrinsic worth* (and wherewith God hath *honoured* him) try to exclude him from the Throne? A Great Philosopher of our Nation, and one who hath writ Philosophically of the *Passions*, tells us, *That the value or worth of a man is, as of all other things, his price, that is to say, so much as would be given for the use of his Power, and therefore is not absolute but a thing dependant on the need and judgment of another*: and then tells us, *That an able Conductor of Souldiers is of great price in time of War present or imminent.* And any one that will consider what the present War-like State of the World abroad is, and that by necessity of Nature in the growing populous World we must expect the peremptory noise of *Wars and Rumours of Wars*, to be more and more calling on our attention, will probably be of opinion that the High-born Lawful Princes of great Martial Talents will be the best Heirs and Successors Heaven can send any Countries. That *Author* somewhat suitably to *Ames* his *Notion of Honouring*, saith, *The manifestation of the value we set on one another, is that which is commonly called honouring and dishonouring. To value a man at a high rate is to honour him: at a low rate is to dishonour him.*

And I may add that an heroical Habit of Courage in any Prince is the more valuable or intituled to *honour*, because it is by necessity of Nature accompanied with the highest Clemency and gentleness, it being the excessive fear of danger that puts Cowardice on Cruelty.

The *Author* I refer to says likewise, *That to be descended from Conspicuous Parents is honourable, because they more easily attain the Aids and Friends of their Ancestors. On the contrary to be descended from obscure Parentage is dishonourable.* With how great an honour then and reverential awe ought we to think of the great Claim of Birth-right, the next Heir of the Crown hath, which may be lineally and successively derived from the *British, Scotish, Danish, Saxon, and Norman* Princes above two thousand years, which is more ancient than any Prince in the World can shew? and when God who finished his Work-man-ship of the World in Six days, hath been two thousand years in making up the Hereditary Glories of this *Line*, can we without horror think of any ones dishonouring it, by breaking in on its Succession under pretences of Religion

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or honouring God? when so many Fountains of *Royal Blood* have been filling this *Sea of Honour* two thousand years, will a few men by their poor Sculls project to empty it, or with the Breath of *Sophisms* to turn the Great Purple Tide that hath born down the World before it so many years?

But it is not only the thought of the *Aides* that the next *Heir* of the Crown may have from the *Friends of his Ancestors*, that may make his *Descent from Conspicuous Parents* so justly to be honoured, as was said, but the sight of all the Lines of the Great and Honourable Actions of his numerous Ancestors, being made by the hand of Heaven to point at him as the Centre, and their being fixt so in his Memory that we cannot well think of his thinking of any thing but *Honour*, that must make other Subjects pay the greater Veneration to his High Birth.

It is so hard a matter even for the flights of imagination with the exquisiteness of Art to produce thoughts of Kings and Princes any way proportionable to their real Figure, that I have observed that our old famous *Dramatists* of the former Ages could hardly in any *Scene* give us the Character of a King done up to the height of a Monarchs Glory: and as the Characters of Kings in those days were expressed, it was but necessary that the *Rule in Theaters* should be, that the Kings should enter there with *loud Musick* that so their Quality might that way be understood.

It is then no marvel if so many in the present Age who are not made *è meliore luto*, and whose Education was low, and whose Souls are narrow, cannot comprehend the honour of the great part that God calls Kings to Act on the Stage of the World, and are especially Strangers to the great thoughts that are to be supposed to Crown the Souls of Kings when they espouse a Religion.

But in that great particular Concern of Princes owning their Religion, we are morally bound to think of them with all the honour we can: nor to repine at that our Duty to them, since in the Concern of Religion, and as it is a Principle of the Divine Life we are to honour our *Inferiours*, and cannot without profanation and usurping on Gods Right judge them rashly.

We are not to think that our *honouring all men*, and the necessary parts of that duty are recommended to us by way of *Council* in order to a more perfect life, and as not *sub peccato* obliging any but those who have by *Vow* bound themselves to the practice of the same: but we are to esteem them *Precepts*, and properly so called, and universally binding, and as necessary parts of that *Holiness without which no man can see God*. And therefore when I see any man after much labouring of his thoughts to have changed the Profession of his Belief of any *Tenets* controverted among Christians, and particularly one who was in the Communion of the *Church of England* to own the belief of *Transubstantiation*, *Purgatory*, and the Doctrine of *Justification* according to the Sense of the *Council of Trent*, or other such points, and shall find that most certainly that it neither was nor could be for *Gain* or respect to Temporal advantages that his judgment appeared thus altered, nor yet out of *levity* and natural inconstancy, and that his habitual constancy and steadiness in all measures relating to Persons and things long by me observed, have assured me that no such change could thence proceed, and shall further observe in such Person a greater tenderness in his regard to *second Table* Duties than before, and that his inclinations of Beneficence to all Mankind, and particularly

cularly to his former friends now differing in judgment from him, have not been tinged and discoloured by any alteration of his Notions, I shall think my self under various *Moral Obligations* to honour such a Person, tho perhaps erroneously opining. I will honour him for his discharge of his Duty in *trying all things*, and having spent time in examining the truth of Religious Speculations, and taking up a Religion not by *chance* (as most Orthodox Religionaries do) but by choice. I will honour him for following that which *Sanderſon* in his Lectures of *Conſcience* calls the *next* and *immediate* (tho not the *adequate*) Rule of his *Conſcience*, the *light* of his *mind* for the *time preſent*, a *Light* that I ſee ſo many Orthodox Religionaries playing with or endeavouring to extinguish. I will honour him for the great Sacrifice I think that he honeſtly intends to truth, (and to offer which to it I ſee ſo many Perſons who erred, ſo reluctantly brought to its Altars) I mean the Pride and Glory of the Humane underſtanding by a Recantation of its former Sentiments, a Sacrifice that to him, who *conſults with Fleſh and Blood*, may ſeem as unpleasant, as the offering up of *Iſaac* did to *Abraham*. And ſince to preſage well of men is to honour them, I will thus in the Caſe of ſuch a Perſon, who hath thus honoured God by taking up his *Croſs* and taking ſhame to himſelf, believe that God will honour him, and judge, that tho he may *in ſtatu viatoris* have miſtaken Error for Truth in his way, he will not miſtake Hell for Heaven at his Journeys end. Moreover ſince to ſpeak *raſhly* of or of any men is a *diſhonour* to them, I will not only not *diſhonour* ſuch a Perſon by determining that his Error is *voluntary* (which whether it be ſo I can never know, and which if it be not, I do know it can be no Sin) but will pay him the juſt honour of my judging it to be *involuntary*; as knowing that neither he nor any one elſe can command his own underſtanding, and that the nature of the underſtanding is ſuch that it can no more apprehend things otherwiſe than they appear to it, than the Eye ſee other Colours in the *Rain-bow* than it doth, whether thoſe Colours be really there or no. Moreover altho I know that no *Law* binds without a *Promulgation*, and that that *Promulgation* of Divine poſitive Laws may by reaſon of mens different Abilities of underſtanding be ſufficient for one man that is not for another, (and ſo that the erroneous opinion of one man may be a Crime, and another mans holding the ſame opinion may be innocent) yet I will not *diſhonour* the underſtanding of any man for his not believing the Controverted points of Chriſtian Religion, that I obſerve other men of great intellectuals profeſs the Belief of: and do conſider, that as *the Wind bloweth where it liſts*, ſo the influx of the Divine Spirit on men is not confined to the excellence of their underſtandings, and that God doth not always reveal his mind to men according to the Proportion of their Gifts and Graces, and that when the *Book* of the *Law* was found and read before *Jofiah*, *Hulda* the *Propheteſs* was ſent to and conſulted, tho there were *Prophets* in the Land at that time: and that that was Revealed ſometime to *Nathan*, that was not to *David*, who was in all points his Superiour. I will according to what was cited out of *Ames*, Interpret every thing of him in the better part that is doubtful. And tho men do naturally think themſelves equally wiſe, I will, according to the Morality enjoyned by that place in the *Philippians*, *Eſteem him better than my ſelf*: ſince a great part of *Wiſdom* conſiſts in the proportioning of the means to the end, I will out of the knowledge of my own frequent Omiſſions in that kind, account that we both having deſigned the ſame end of Eternal Happineſs,

he

he tho differing from me in speculative points, yet hath by his Practical Devotion proportioned his means to that end better than I have done. Moreover because it is a *dishonourable* thing for any man to receive a Religion in gross, and *servilely* to own all the Religionary Sentiments that the Major part of any Church seem to do, I will not so much as in my secret thoughts charge such a Person with owning all the Religionary Tenets of the Church of Rome, and much less with owning any one of the Tenets that is Irreligionary, how justly soever chargeable either on the Papacy or any of its Adherents.

I who am a Son of the Church of England, have considered how its Constitution hath been prop'd up in various ways, and on different Hypotheses by several of the Fathers and great Writers in that Church before Arch-Bishop Laud's time and since, and how some of them in some points receded from its Articles, and that many of them did in several Doctrines of importance variously interpret its Articles. My Conversation with several Divines of that Church who are equally Learned and Pious, hath let me see that in many Theological speculative points they differ much from one another, and yet retain perfect Charity for one another; and their Notions as to which points they have in prudence not troubled the Populace with. And yet even in our very Protestant Populace in this Conjunction of Zeal against Popery, I have observed so much Candour expressed to Protestant Writers who have asserted some speculative points that seemed to agree with the Doctrines of the Church of Rome, that no one man hath either called them Papists, or Protestants in Masquerade for so doing.

I have not heard of any who hath censured Mr. Baxter as a Papist or Popishly affected, since Dr. Tully in his printed Letter to him, p. 21. desiring him to take his Balance and weigh more diligently, that he might see the very small odds, between His Justification and the Council of Trents, addeth, for to me neither of them turns the Scale upon the other. There was likewise after the beginning of the Popular Out-cries of the Danger of Popery a Learned Metaphysical Book of Dr. Glisson (who was Professor of Physick in Cambridge, and Fellow of the Royal Society) Printed and Dedicated to the EARL of SHAFTSBURY, and in the 28th Chapter there, viz. *De substantiarum penetrabilitate mutata quantitate*, the Dr. saith, That 'tis better to admit Penetration, than a Vacuum, however we have been taught from our Child-hood to believe that there is no penetration of Bodies and Dimensions, and doth Combat those old Notions of Philosophy with which Transubstantiation was opposed formerly; and yet was never censured so much as Popishly affected for so writing; nor have I observed any one to blame him for it, or to have animadverted on his Book. I have likewise observed that several Protestant Divines have not been in the least reproached or censured as maintainers of Purgatory, when they have professed their Beliefs that the Souls of good Men after Death go to a good Hades, and of bad Men to a bad one, and are to stay in those common receptacles till the day of Judgment. It is hence obvious that there are ingenious Protestants who do not take up their Religion in gross, and that the fear of Popery or hatred of it is not generally so much founded on the Speculative Religionary Propositions maintained by Papists, as partly on the Arbitrary Power claimed by the Pope to impose Creeds on men, and by which Power he may if he pleaseth command them to believe that there are no Antipodes, and excommunicate any who believe there are, as one Pope long since did, and

partly on his claiming a Power to disturb the measures of their *Loyalty* to their Princes.

In such a *Conjuncture* therefore as this, when 'tis so much out of *fashion* to think any one the less a Christian, or the less a Protestant for differing from others of the Church of *England*, in such point as aforesaid, it would be an aggravation of the immorality of our not acknowledging the honour due to any Person of the *Roman-Catholick* Communion, because supposed to own Speculative Religious *Tenets* of this Nature, and which too have no influence on Mens Conversation with each other, or on their Actions as they are Members of any Civil Society, and (as one saith) *would be still the same with all the Consequences of them, tho there were no other Person besides one's self in the World.* And therefore as I will rashly charge no Protestant with the servile resignation of his reason to any true Church, nor look on him as one who doth, *More balantium antecedentem Ducem sequi*, so I will not without just ground and certain proof charge any Papist with the taking up his Religion in gross from the *Papal* Chair, nor with the owning all the Religious *Tenets* that many *Romanists* do, and much less with any one of the Irreligious *Tenets* imputable to any Order of the Church of *Rome*, or to the Papacy. To think any *Papist* the less a Christian for owning such *Tenets* which being held by some *Protestants*, we think them not the less Christians for, doth most notoriously come under the Sin of *Acceptio personarum*, and is contrary to that Precept of St. James, viz. *My Brethren, have not the faith of our Lord Jesus Christ the Lord of Glory with respect of Persons*: and by which accepting of some mens Persons the duty of honouring all men, and valuing their real worth is manifestly outraged.

I will by no means therefore rashly charge any particular Papist with owning the *Tenet*, that he is implicitly to obey the Commands of the Pope without weighing the Justice of them: for I find the contrary *Tenet* own'd in print by the seven Divines of *Venice*, as Ames mentions it in the Preface to his *Puritanismus Anglicanus*, where he saith, *In Tractatu illo Judiciosissimo à septem Theologis (meaning those of Venice) de interdicto Papæ conscripto, verbatim ponitur & nervosè firmatur hæc propositio, viz. Christianus præcepto sibi factò etiam à Pontifice summo, obedientiam præstare non debet, nisi prius præceptum examinaverit, quantam materia subiecta requirit, an sit conveniens, legitimum & obligatorium: & is qui sine illo examine præcepti sibi injuncti, cæco quodam impetu obedit, peccat.*

And do not many of the Church of *Rome* by their being *picque'z d'honneur* upon the being called *Papists*, give some indication thereby of their being not obliged to pay an absolute blind Obedience to the Pope? And tho *Bellarmino* and several of the Popes Parasites have called those *Hereticks*, that believe not the *Jure-Divinity* of the Popes Monarchy over the World, yet all the *Gibelline* Papists of old made it *HEREST* to say that the Emperor was not by Divine Right Lord of the World. Moreover tho some Papists have writ opprobriously of the *Scripture*, and called it as well as made it a *Nose of Wax*, yet is the reverence of others of that Church for those inspired Writings sufficiently known, and as may appear by that great saying of *Panormitan* so often cited by the Protestant Writers, viz. *Laico verum dicenti cum Evangelio, magis credendum, quam Concilio falsum dicenti contra Evangelium.* It is so easie a thing for every man of ordinary reading and observation to expatiate on the common place of the *disagreements* of the Writers of the Church of *Rome*, in various important Religious Doctrines, that I need not here do it.

'Tis

'Tis a common Observation that in *Spain* and *Italy* it is the common opinion that *Latreia* is due to the *Cross*, which in *France* and *Germany* is not so: and that at *Rome* no man may say that the *Council* is above the *Pope*, nor at *Paris* that the *Pope* is above the *Council*: and as to the great *Doctrine* of *Justification*, every one hath heard of *Bellarmin's Tutissimum*, and of *Stephen Gardners* laying his dead grasp on *Christ's* Merits as he was sinking: and as to some *Papists* not believing the *School Conclusions* in that *Church*, there is a famous instance cited by *Crackanthorp* in his *Logick*, concerning a great *Roman Catholick Writer*, who said, *Sic dicerem in scholis: sed tamen (maneat inter nos) diversum sentio. Sic dicimus in scholis: sed tamen (maneat inter nos) non potest probari ex sacris literis.*

And therefore (since as was said) every man hath a right to his good name till he hath justly forfeited it, I will honour such a *Roman Catholick* as before described, with the reputation of his being a good *Christian*, and shall think that I am Morally bound to esteem all *Papists* so qualified to be better *Christians* than any *Orthodox Protestants* that want those Moral Endowments: and according to my Obligation to honour all men and love the *Brotherhood*, and consequently to be readier to do good *Cæteris paribus* to *Christians* than to those who are strangers to *Christianity*, will thus love such a *Papist* as a part of that *Brotherhood*, and by our *Saviours* measures in those words of the same being his *Brother, Sister and Mother* whosoever shall do the will of God, will take notice of and honour, and love such a *Roman Catholick* as much as if the closest *Jura sanguinis* united me to him, and with respect to not only the *ONE Blood* that all *Nations* were made of, but the *ONE Blood* they were redeemed with, and by virtue of those other words of our *Saviour*, viz. *That if any man will do his Will, he shall know of the Doctrine, &c.* will account that in points necessary and essential to such a mans salvation, our blessed Lord hath been as ready to make his *Doctrine* known to him, as effectually as he could be supposed to make it known to such near Relations.

They are expressions worthy of a *Divine* of the *Church of England*, in an excellent *Sermon* that goeth under the name of *Dr. Tillotson*, viz. *I had rather perswade any one to be a good man, than to be of any party or denomination of Christians whatsoever. For I doubt not but the belief of the ancient Creed without the addition of any other Articles, together with a good life will certainly save a man.* And since *Justin Martyr* when *Tropho* the Jew demanded his thoughts of the *Salvation* of the *Jews* then living, and expected that he would pronounce them damned, the *Martyr* answered, *That he hoped they might be saved if with their Ceremonials they did also observe αἰωνίους καὶ φύσει δικαιοπραξίας καὶ εὐσεβείας; i. e. The Eternal and Natural Rules of indispensable Holyness:* and since he notwithstanding the barbarous uncharitableness of the stiff-necked and narrow souled *Jews*, who would not shew a Traveller the way that was not of their Religion, did yet shew the invincible Charity of a *Christian* to them being ready (as he saith) προσλαμβάνειν καὶ κοινωνεῖν ἀπάντων ὡς ὁμοσπλαγχνοὺς καὶ ἀδελφοὺς, i. e. *To receive them friendly and to communicate all things to them as BRETHERN or affectionate friends,* it may well be esteemed an uncouth sight to see some peevish *Nominal Protestants*, who observe none of those Rules, yet to exclude *Papists* out of the *Christian Brotherhood*, and even to damn them who with the *Ceremonies* of the *Church of Rome*, do most religiously observe those Great and Noble Rules.

And

And therefore tho the reconciling of *Churches* is by some good men hoped for, and by all good men wished, yet since it can by no rational men be supposed possible without a previous reconciliation of *Persons* first had, and that this latter is no *Project* but a *Moral Duty* and *Vital* part of Christianity, and that 'tis an empty *Project* for any one to think to deserve the name of a *Christian* without being reconciled to the whole Creation of God, and being first reconciled to his Brother as the *Expression* is in St. Matthew, I shall wish that this *Duty* of honouring all men, and as inclusive of our *internal affection* and *testifying before God the worth and excellence that is in any Roman Catholics*, and of the *interpreting all doubtful matters* relating to them in the better part, (as was before explicated out of *Ames*) may more and more be thought of by Protestants as *Essential* to their Christianity.

Any one who will consider that *Canon* of our Church, viz. *It was far from the purpose of the Church of England to forsake and reject the Churches of Italy, France, Spain, and Germany, or any such like Churches in all things that they held and practised, &c. that it only departed from them in those particular points wherein they were fallen, both from themselves in their ancient integrity, and from the Apostolical Churches which were their first Founders*, may see the great perfection of the *Principles* of the Church of England in honouring all men, and loving the whole *Brotherhood of Christianity*: and our *Duty* wherein as necessary to Salvation is very excellently inculcated by a great *Father* of that Church, I mean, *My Lord Primate Bramhal* in his just *Vindication of the Church of England* p. 15. where having said, *That the Communion of the Christian Church Catholick is partly internal, partly external, and made it part of this Internal Communion, to judge charitably one of another, to exclude none from the Catholick Communion, either Eastern or Western, Southern or Northern Christians, &c. to rejoyce at their well-doing, to sorrow for their Sins, to condole with them in their sufferings, to pray for their constant perseverance in the true Christian Faith, for their reduction from all their respective Errors, and their re-union to the Church in Case they be divided from it, &c. and lastly to hold an actual external Communion with them in votis, in our desires, and to endeavour it by all those means that are in our Power*, he tells us in plain terms that *this internal Communion is of absolute necessity among all Catholics*. And in p. 26th he declareth to the same purpose, *That internal Communion is due always from all Christians to all Christians, even to those with whom we cannot communicate externally in many things, whether Opinions or Practices. But external Communion may sometimes be suspended more or less, &c.* and he doth afterward in p. 18 assert, *That Christian Communion implies not an Unity in all Opinions*: and shews, *That the Roman and African Churches held good Communion one with another, while they differ'd both in Judgment and Practice about Rebaptisation*.

As for any projected *Universal Unity* of Opinions, I look on it to be as impracticable as our levelling Republicans *EQUAL* Division of Lands in the late times by their wild *Agrarian* Laws: for the Birth of the next Child would necessarily break that their *Model*, and the same fate might be expected to happen the same way to this *Model* of *Unity* of Opinions, or perhaps by the birth of the next hour. But this *Internal Communion* is a thing most possible, and our *Duty* tho without hope of *Unity* in all *Religionary* Opinions to ensue thereby, according to the *Doctrine* of this *Great Primate*.

If then we are *Morally* bound to have this *Internal* Communion with all Foreign *Roman* Catholick Princes and their Subjects, as before described, how can we without horror think of the excluding any Heir to the Crown (for fear of his believing the same Religionary Notions that they do) from the Catholick Communion, and of excluding him from his Birth-right on such an account whom we must always have this *Internal* Communion with, and rejoyce in his good successes, and condole with him in his ill, and to hold an external Communion with him and any Church he is of, in votis, in our desires, and to endeavour it by all means that are in our Power? Did any endeavour it, who would by depriving him of his Birth-right on that account, and holding the same Tenet with Papists of *Dominium fundatur in gratia*, give him such a just Cause of Scandal, as without the Divine Spirit assisting him, might endanger his withdrawing from the whole Christian Communion: And tho the honest *Heathen* could tell us, That *Cavendum est ne pœna major sit quam culpa*, and all *Casuits* agree, That *Pœna non debet excedere delictum*, and tho *Magna Charta* tells us, That *Ex quantitate pœnæ cognoscitur quantitas delicti, quia pœna debet esse commensurabilis delicto*, yet attempted to punish him by the loss of his Birth-right of the Crown, when it could not be certain to us that he had committed any fault at all, and when by the judgment of Charity we were bound to believe that he had committed none?

To many of our Nominal *Protestants*, whose thoughts and *Ideas* of Christian Communion are too narrow to extend not only to a *National* Church, but to a *Parochial* one, this Notion of the incomparable *Primacy* (for whose august Charity one Christian World of Religionary differences was not enough to overcome) about *internal* Communion, will I believe seem new Doctrine and *Durus Sermo*; but if they would be true *Christians* instead of being called true *Protestants*, this Duty of *Internal* Communion from all *Christians* to all *Christians*, must be practised by them: and if this Duty hath a *Divine* Right for it as to the Persons of *Papists* abroad, it must be operative as to those here at home. He who loveth not his Brother whom he hath seen, I may ask, how can he love either his God, or his Brother that he hath not seen? The *Ham-war* among any *Protestants* and *Papists* must not only be left off, but they must honour the Persons of one another: and *Protestants* are not only to forbear robbing *Papists* of their Goods, on pretence of carrying away their Images and Pictures, but are to honour the Image of God shining in the lives of, or the Gifts of God dispensed to any *Papists*.

Mr. Burroughs in his *Irenicum*, p. 38. saith, We accounted it Tyranny and Persecution in the Bishops, when they would not suffer such as could not conform to their Church Discipline and Ceremonies, to teach Grammar or practise Physick: and saith, That there was no dependance between their Errors (if you will call them so) and these things. To deny the Church and Commonwealth the benefit of the Gifts and Graces of Men, on such a pretence that they will abuse their Liberty, we thought it was hard dealing; yea no less than a Persecution. Suppose a man differs from his Brethren in point of Church Discipline, must not this man have a place in an Army therefore? Tho he sees not the reason of such a Discipline in the Church, yet God hath endued him with a Spirit of Valour, and he understands what Military Discipline means, &c.

Ought not then Persons of his Principles to revere the Heroical Endowments of an Heir to the Crown, which do much preponderate as to the continuance of the being and well-being of the Kingdom, to sup-

posed Orthodoxy in some Myſteries of the *Gospel*, as was ſhewn out of Mr. Ny: King James had great *Talents* in *Polemical* Divinity, to prove by words, that the *Pope* was *Anti-Chriſt*; but will not theſe latter Endowments neceſſarily prevent the *Pope's* being *Anti-Chriſt* in Deeds, if he were inclined to hurt us by ſhewing himſelf ſuch? Ames in his *Puritanismus Anglicanus* giveth this as the chief *Reason* why the *Puritans* hold the *Bishop* of *Rome* to be *THE Anti-Chriſt*, viz. *For that he being an Eccleſiaſtical Ruler doth arrogate and exerciſe the chief Power over Kings and Princes.* And doth any one fear that he can exerciſe ſuch *Power* over a Prince of theſe Endowments? And I may add, have not many *Factionous* and *Republican* Nominal *Proteſtants* here compleated that *Figure* of *Anti-Chriſt*? How many *Vertues* muſt any indifferent man overlook in this *Pope*, who thinks he would outrage our *Civil Government*, and how many *Vices* muſt he wink at in ſuch *Persons* who thinks they would not do it?

And by *Virtue* of our bleſſed *Lords* having decided it that *he was the better Son who ſaid he would not do the Will of his Father and did it*, may it not be ſaid, That thoſe *Papiſts* who ſay they will not take theſe *Oaths*, and yet perform their *Natural Allegiance*, are more loyal than ſuch *Nominal* *Proteſtants*, who have took the *Oaths* and obſerve them not? As much an *Abhorrer* as I am of the *Principles* of the *Jefuites* Condemned by this *Pope*, I ſhall yet think my ſelf bound by the *Moral* *Offices* beforementioned out of Ames, not to charge the belief or practice of them on all *Persons* in that *Order*. For when I conſider the *Devotional* Books of ſome *Jefuites*, writ with ſuch ſtrong and lively expreſſions of the *Practick* part of Religion, as any *Person* of *Candor* will think to be founded on a real deep ſenſe of all *Moral* *Offices* lying warm at their hearts, I account it impoſſible for them to have believed ſome of thoſe *Tenets*: and as I once obſerving at the *Anatomy* of a poor *Malefactor*, that his *Stomach* appeared not able to contain above the *Quantity* of a *Quart*, would eaſily have thence inferred, had I heard him accuſed of being wont in his life-time to debauch by *ingurgitating* vaſt quantities of *Liquor*, that there could be no ſuch thing, ſo ſhall I think it not poſſible that this ſober Party of the *Jefuites* who are really devout, can ſwallow ſuch *Irreligious* *Principles*, as too many others of them have done,

We know that not only many eminent *Popiſh* Writers, but particularly *Azorius* the *Jefuite* hath writ againſt the *Jefuites* *Doctrine* of *Equivocation*, and *Mental* *Reservation*: and *Crackanthorp* and Ames and other *Proteſtant* Writers in their Writings, impeaching that *Doctrine* of the *Jefuites*, have quoted *Azorius* as on their ſide in that point.

I doubt not but many *Pious* *Persons* of that *Order* are glad of this *Pope's* having damned ſuch *Tenets*, which they never did or could believe: and I will now upon the *Popes* having condemned them, judge no particular *Papiſt* to believe them till I find cauſe ſo to do.

And notwithstanding the hard uſage our *Learned* *Lord* *Bishop* of *Lincoln's* Book had from the *Author* of *The Compendium* ſaying, *That the Title of the Book confuted the whole*, becauſe it mentioned the *Principles* approved by the *Church* of *Rome* pernicious when really believed and practiſed, I ſhall ſtill think the *Pleonasm* or exuberance of the *Charity* in ſo qualifying the danger of the *Tenets* he confutes, to be worthy a *Prelate* of the *Church* of *England*, and do think the like of the *Charity* of the *Bishop* of *Wincheſter* expreſſed in his printed *Sermon* of the 5th of

November,

November, where having spoke of the *Doctrines of Dissenters tending to Sedition and Rebellion*, that seem to be derived from the Church of Rome, he saith, if those *Doctrines* are believed and practised, they must necessarily produce *Confusion among us*: and do think that if the *Papists* could gain the point, namely, to be looked on by Protestants as not to believe several parts of the *Tenets of Popery* that are *Irreligionary*, and particularly that about the *Exterminium* of Hereticks enjoyned by the *Lateran Council* to be not believed by them, it would be a point very well gain'd, and any one who could gain it for them, would be a more useful friend to them than ever *Bellarmin* was.

To give a man the *Lye* is the greatest *dishonour*, and therefore when any *Papist* shall tell me that he believes not the *Lateran Council* as obliging, or other *Tenets* chargeable on the *Papacy*, I shall not tell him that he doth, but shall pass my judgment of *Charity* that he doth not believe the same, and shall account him still a *Roman Catholick* tho perhaps erroneously denying that to be a *General Council*, as I account *Luther* a *Christian* and Owner of the Authority of the *Bible*, tho he erroneously denied the Divine Authority of the *Epistle* of *St. James*. The Learned Author of *The Advocate of Conscience Liberty* printed in the Year 1673. and said to be *Mr. Brown a Franciscan*, in his 8th Chapter, viz. Of *Roman Catholicks being not guilty of Practices or Principles destructive to Government*, reproaching the *ENGLISH* and Foreign Protestants with such Principles saith, Was it from any of their Books (meaning the Books of the *Papists*) you have drawn those wild *Maxims*, That the Authority of the Magistrate is of *Humane Right*? That the People are above the King? That the People can give Power to the Prince and take it away? That if a King fail in performing his Oath at Coronation, the People are loosened from their Allegiance? That if Princes fall from the Grace of God, the People are loosened from their Subjection? Do not these *Doctrines* proceed from *Wickliff*, *Waldenses* and other *Sectaries*? And then mentioning *Calvin* for owning such *Maxims*, saith, That *Calvin* l. 4. c. 3. *Instit.* from his high Consistory giveth this Absolution to all Oaths of that Nature, *Quibuscunque Evangelii hujus lux effulgeat & ab omnibus laqueis juramentisque absolvitur*. But that Loyal *Franciscan* there happened to injure *Calvin* by a false quotation, which I believe he had took up on the Credit of the *Romanist* Author of *Monarcho-machia* or *Jerusalem and Babel*, who had cited the 4th Book of *Calvin's Institutions* for that purpose, but very falsely: for *Calvin* in all that Chapter hath not a word of such Oaths of Allegiance as Subjects take to their Sovereigns: but treating only of *Monastick Vows*, he saith, *Nunc postquam veritatis notitiâ sunt illuminati, simul Christi gratiâ liberos esse dico, &c.* i. e. from those *Monkish unwarrantable Vows* that they had made, and out of Error and Ignorance held themselves obliged by.

But I doubt not if *Parsons* aliàs *Doleman*, and the Book of *The Prelate and the Prince* had been shewed to this *Franciscan*, he would have answered to this effect, viz. These men and many *Roman Catholick Authors* by them cited, held those disloyal Trayterous Principles beforementioned, but I fall with a Sacrifice rather than hold such. I honour the spirit of Zeal against Disloyalty that runneth through his Book, and in p. 204, 205, 206, 207, 208. he very learnedly endeavours to answer the objection about the *Lateran Council*, and saith thereupon what the matter will bear: and he and many other *Roman Catholick Writers* have disown'd the Authority of that Council as obligatory: and therefore the judgment of

Charity

Charity will incline any one to think that such *Roman* Catholicks would not disorder the World by it.

Moreover some Protestant *Writers* have judged that *Council* to be invalid, and Dr. *Donne*, who was very well studied in the Learning that relates to the *Canon* Law and *General* Councils, doth particularly in his *Pseudo-Martyr* p. 377, 378, 379, 380. take a great deal of pains to shew the *invalidity* of that *Council*: and that it was never meant to oblige *Sovereign* Princes.

But the *Author* of *The Prelate and the Prince* doth in p. 228, 229, 230, 231, 232, 233, 234, 235, 236. with much Learning statuminate the Authority of that *Council*: and asserts it to have been a *General* one, as the Cardinal *Perron* and the Bishop of *Lincoln* have done: yet what I have mentioned of that Famous *Cardinal's* not *believing* the Principle of the Church of *Rome* founded on that *Council* for Princes exterminating their Heretical Subjects as always Obligatory, nor promoting the practice thereof in *France*, where the *Huguenots* were then about a 7th part of the whole People, hath justified the reasonableness of the *Charity* of our *Bishops* in qualifying the danger of some *Papal* Principles with the restriction of their being *really believed* and *practised*: and the same Rule in my *Notion* of their danger shall always guide me, that is to say, when the *Poyson* of such *Principles* is really swallowed, it must then be pernicious. The poyson may lie in the *Boxes* of the *Canon* Law or a *General Council*, and yet not poyson the minds of pious Catholicks, nor foul their fingers. I having found just cause so far to *honour* all the *Roman* Catholicks of my Acquaintance, as to judge them free from any Complication of the belief and practice of any irreligious Principles with the Principles of their Religion, and particularly from the owning any Principle of *Disloyalty* or the *Jesuites* Doctrine of *Calumny*, or the Obligatoriness of the *Lateran* Council, will not rashly pronounce any other particular Papist guilty of the belief or practice of such Principles.

Nor is it any great honour that I have done to any men of extraordinary Vertue in thus judging, that they cannot *believe* or *practise* such Principles: for that it being true in the Course of *Nature* what *Machiavel* said, that next to the being perfectly good, 'tis the most difficult thing to be perfectly bad, the World hath had thereby some *Garranty* against the belief and practice of such Principles, and by necessity of Nature must still have.

But since Mankind in general may expect to find in our esteem the benefit of the *presumption* of *Law*, viz. That every man is presumed to be good, and that the high Births and Educations of Princes and the great Examples of their Magnanimous Ancestors, may well pass as strong presumptions of Nature against their doing any low ungenerous Acts of Cruelty, and since in Gods great Ordinance of Magistracy an especial Divine presence may by Virtue of *Holy Writ* be *presumed* to accompany the very Magistrates appointed by *Sovereign* Princes, according to that in 2 *Chron.* 19. 6. where after it was said to the Judges, *Take heed what you do, for yee judge not for man but for the Lord*, the following words are, *Who is with you in the Judgment?* and that therefore as *Christ* is said to be present with those Officers he appointed in the Church, because there is a special Virtue and Efficacy of *Christ* manifest in their Ministry, there may likewise be expected a special presence Divine in the Administration of Magistracy from the like manifestation of God in his Wisdom, Power, Goodness, &c. for the Well-fare of Societies, (as Mr. Ny observes) and since *Kings* and Princes

Princes are an *O-dinance* of God or *Medium* by which in a more special and peculiar way he communicates his *Goodness* to *Christians* according to the Style of the 13th of the *Romans* (the great *Sedes materiae* of *Loyalty*) for he is the *Minister of God to THEE* for good, it may well be thought *profaneness* and *Sacrilege* for men to *bode* and presume ill of the future *Acting* of any *Heirs* to *Crowns*: and particularly as to their believing or practising any thing pernicious to their *Realms*.

What *Roman Catholick Prince* doth not deride *Innocent* the 3d (under whom the *Lateran Council* was held) for telling it in the *Canon Law* that the *Papal Power* is as much greater than the *Imperial*, as the *Sun* is greater than the *Moon*, and at the *Marginal Note* there for saying *That the Papal Power exceeds the Imperial no less than 7741*? There is a *Prince* whose *Emblem* is the *Sun*, and whose *Power* exceeds the *Papal* in every ones account to more than that *Proportion*. And is it not therefore but according to reason and common sense that we should believe that of all men in any *Realm*, the *Prince* will be the latest brought to the belief of that *Papal Power* so categorically asserted by that *Council*, *That Kings may be Excommunicated by their own Bishops for not obeying the Pope, and their Subjects in such Case be absolved from their Oaths of Allegiance*? Do not all the *French Kings*, notwithstanding that *Council*, claim the liberty of so much freedom from the *Papal Power*, that *Popes* can neither directly nor indirectly command or ordain any thing concerning *Temporal Matters* within their *Dominions*, and that neither the *French King*, nor his *Realm*, nor his *Officers* can be *Excommunicated* or interdicted by the *Pope*, nor his *Subjects* absolved from their *Oath of Allegiance*?

As I have therefore in my *Writing* to a *Noble Lord*, one of his Majesty's *Ministers*, who was barbarously accused by one of the *Plot-Witnesses* for being a *Papist*, and designing to advance the *Papal Power*, said that I would be the last man in *England*, who would believe he could be a *Papist*, meaning it as impossible that he could believe or practise any irreligious *Tenet* of *Popery*, I will account it more impossible that any *Roman Catholick Prince* now living in the *World* should favour the *Usurpation* of the *Papal Power*, however any of the *Popish Clergy* or *Layety* in his *Realms* might perhaps be addicted to favour the same.

That great *Affair* of the *Munster Peace* wherein so many great *Roman Catholick Crown'd Heads*, agreeing perhaps in the *Lateran Council* being a *General* one, did yet certainly agree together in the *Year* 1648 for *Lutheran* and *Calvinistick Princes* and *States* and their *Subjects* quietly possessing forever their *Properties* both in their *Religions* and *Estates*, hath afforded the *World* an important *Instance* of *Heavens* so far influencing the understandings of those *Crown'd Heads*, that they thought not themselves obliged to put the *Decree* of that *Council* in practice by exterminating *Hereticks*, but to the contrary. And because the *Affair* of that *Peace* and the great *Pacta Conventa* therein for the effect aforesaid, have been scarce more taken Notice of here than the *Transactions* in *China*, and that the notification of the same may advance the measures of our *Duty* by *Internal Communion*, and help to un-blunder some of our *Nominal Protestants* in their fancying it so necessary for the quiet of *Christendom*, that *Christian Princes* and their *Subjects* should agree in the belief of the *Speculative points* of *Religion*, I intend to take an opportunity to publish some *Account* of the same.

I account my having thus largely dilated on the *Moral Offices* as aforesaid, hath tended to corroborate this my 8th *Conclusion*. I am here conver-

stant in the great Court of Conscience, the Court whose Seat is in the *Practical* and not *Speculative* intellect, and the great things of which it holds Plea are, as *Sanderson* tells us, *Actus morales particulares proprii*: and therefore particular urging of Records, against which lies no averment, is not more pertinent in Courts of Law than of Moral Offices in this. And moreover I observing in this *Conjuncture* when many mens zeal hath been so hot against the *Speculative* points of Popery, which disturb not *Civil Society*, that yet they have believed the more pernicious Tenet of it, and would have practised the same, viz. *The founding Dominion in Grace*, and that tho they have been altogether neglectful of their *Actus morales particulares proprii*, they have both presumed to judge dishonourably and rashly of the *Actings* of others, and to trouble the World not only with their Anxiety about the *Acts* of Kings and Princes, but the *Actus Dei*, and his illuminating Princes understandings with the Heavenly Mysteries, I have thought this discoursing of our Moral Offices as aforesaid, the more a *Propos* and seasonable, as tending to fortify the rationality of this 8th Conclusion, by exposing the absurdity of a *respective* or *conditional* Loyalty, a Loyalty that any Christian who hath taken these Oaths shall think sufficient, doth most certainly take the name of Loyalty and Protestancy and of Christianity, and even of God in vain: and as the Scripture implies that there is a Repentance to be repented of, I shall say that such a mans Protestancy is to be protested against. And when we consider that the Presbyterian Author of the EXERCITATION beforementioned, hath in p. 41. with so much Loyalty and Reason told us in terms, *That Obedience is owing to Princes without condition of Religion, or Justice on their part performed, and the Scripture is clear for an irrelative and (in regard of the Rulers Demeanor) absolute subjection.* *Exod. 20. 12. 21. 25. Rom. 13. 1, 2, &c. Tit. 3. 1. 1 Pet. 2. 13. 1 Sam. 24. 6, 7. 26. 9, 10, 11. Jer. 27. 12. 29. 7. Matth. 22. 21.* and hath told us in p. 56. *That our Oaths put no condition on the Prince, but are all absolute and irrelative, and run without ifs or ands in like manner as the Obligation of Subjects Allegiance to their Sovereign is irrelative according to Divine Institution,* methinks it should make any Son of the Church of England to start at the thought of his being out-done in Loyalty, and sworn Allegiance by a Covenantee Presbyterian (for such that Author was) and at the thought of any ones having taken those Oaths relating to the King, his Heirs and Successors, and afterward interlining the interpretation of them with *ifs* and *ands*, and at the thought of such an interlineation not appearing as ill in the Court of Conscience, as any would do in a Court of Law.

But the truth is the Church of England appearing in this late Religious Fermentation, to have so incorporated this Doctrine of absolute and irrelative Loyalty into its Constitution beyond any other Church in the World, and likewise the Doctrine of Charity and Moderation toward all Christians, whether Foreigners or Domesticks, whether whole Churches or single Persons (as Primate Bramhal's words are) that the same doth now (as I may say) strike the Eyes of all indifferent men and enforce it self on the thoughts of any who do but for Curiosity walk about this Sion and go round about her and tell the Towers thereof, I mean do consider its Prayers, Homilies, Articles, Canons and Ecclesiastical Constitutions, it hath hereby been necessarily made like the Eagle to renew its youth, and to be invigorated as with a new Soul after its Enemies thought it dead or asleep, and after Mr. Hooker's shrewd guessing that after the Year 1677.

That

That what followed would be likely to be small joy to them who should behold it. For the Doctrine of absolute and irrelative Loyalty being Essential to the Peace of Kingdoms, and likely to be so more and more to the Worlds end, and the Church of England appearing as by consent of Parties to be THE Church that overtowers all others in the Principles for THAT Sort of Loyalty, as well as in the august Principles of Charity for all Christians; according to the saying of *Magnes amoris amor*, it must naturally attract the love of those in other Churches, and supposing that any Church or People love themselves and cannot be preserved but by Loyalty, Nature will direct the World to a growing love for the Church of England: and therefore I am no Visionaire in predicting from natural Causes, That what shall follow to the Church of England will be great joy to those who shall behold it, to the very end of time. And nothing could possibly in my opinion have brought it to this firm State of its Glory, but the disloyal Principles and Practices of some of its Competitors, and particularly the just and dreadful apprehensions given to considerate men upon some Nominal Protestants and Nominal Property-men, having founded Dominion in Grace, and yet having reproached the Church of England and its Divines with Popery, and invited the Protestant Mobile to make a Schism from it on such an account, and printed many Seditious Pamphlets for the Establishing the IF, or AND-Loyalty, or indeed which is all one, an absolute Disloyalty, and in such a Conjunction, when it would have been not more pernicious to the particular Souls of the Disloyal than to the Body of the whole Nation, and to the State of Christendom.

Thus through the Divine Omnipotence, which can bring good out of evil, hath our late Fermentation been made perfective to our Church, as well as the Hereditary Monarchy, and the Rule of Gods governing the World by the Prayers of his Church and Lusts of his Enemies, been here exemplified: and as the Air that is the Steem of the dull Earth, or the *Textura halituum terræ*, as Gassendus calls it, is made by nature to be the Vehicle of those Beams of the Sun that dazle our Eyes; thus have the Fumes, exhaled by such mens Lusts of Disloyalty and Malice that darken'd their own understandings (and would have obscured the glory of the Church of England) been made instrumental in dispersing its brightness through the World, and even in the opening of the Eyes of many to behold it with amazement; and that service hath been done our Church thereby, which by all the Pens of its Jewel and Hooker and Sanderson could never be effected.

England that had so much the Carriage and the Trade of the World till the Munster Peace of 48, could bear the Civil War after 41, and breathe under it and flourish after it; but as the State of the World abroad and at home now is and likely to be, our ALL must depend upon the Principles and Practice of Loyalty, and therefore this new Soul I spake of as now animating the Church of England must be immortal, and it may well say to it self under any Prince that can come, *Soul take thy ease, thou hast Loyalty and the Principles of it laid up for many years*, and England did not before 48 more excel other Realms in Trade, than its Church doth now other Churches in absolute and irrelative Loyalty.

That great Judge of Churches and their Principles, Arch-Bishop Laud, having in p. 36. of his famous Star-Chamber Speech remarked the dangerous Consequence of avowing, *That the Popish Religion is Rebellion*, saith, *That some Principles of theirs teach Rebellion, is apparently true, &c.* and

I shall add, that some Principles of our late Covenanting *Dissenters* have taught it, is apparently true; and for such of the latter who *believed* and *practised* these *Principles*, to reproach any Papists with *Disloyalty*, is as apparently ridiculous as was Mr. Prynne's writing two Voluminous *Treatises* of *The Disloyalty of Papists* at the time when he was making so great a Figure in the late Rebellion. But however, suitably to the *Moral Offices* urged by *Ames* of not condemning whole Parties of men on the account of the guilt of some Persons, I have under this *Conclusion* cited the loyal *Principles* of some *Recusants* of all sorts pertinent to my Scope: and because the *irrespective Loyalty* that I affirm therein we have obliged our selves to by our *Oaths*, is so incomparably asserted in a long *Speech* of that Great Man of the *Church of Rome*, *Reginaldus Bel-nensis*, Arch-Bishop of *Bourges* in *France*, I shall refer any one to it as printed in *Ihuanus*. The *Speech* was spoke in a Famous *Assembly* and on a great occasion, for to make way for the quiet Reception of *Harry* the 4th of *France* while a *Protestant* into the Throne; and it was framed with such profound thoughts of *Loyalty*, and with such extraordinary Learning referring both to the *old* and *new* Testament, and to *Fathers* and *Church History*, and *Civil* and *Canon Law*, and with such close and nervous argumentation to evince the *Divine Right of Allegiance* due to Princes, and particularly without any respect had to their *Religion*, that it may pass for one of the best *Bulwarks* of absolute *Loyalty* I know of next to the 13th of the *Romans* and other things contained in Holy Writ. And because I think no serious Christian who reads it will ever find in his heart afterward to *ridicule* passive *obedience*, or make ridiculous Platforms of *Conditional Loyalty*, I do intend to *Translate* and *Publish* it. Moreover because there is in that *Speech* one *Noble* peculiar Character of the *Moral Offices* of *Loyalty*, wherein it is pity that the proverbial *English* good nature should in any men come short of that of the *French* Civility, and any *Protestants* *Loyalty* of a *Roman-Catholics*, I mean that Arch-Bishops *honouring* the *Mind* and *Soul* of his *Prince*, who was not of the *Communion* of his *Church*, and even then *vindicating* him from *Heresy*, and saying, *That he ought not to be thought a Heretick*, and propping up his *honourable* thoughts of his *Prince* with a Quotation out of *St. Austin*, viz. *That he was not to be reckon'd among Hereticks who without pertinacy defended his opinion tho erroneous*, &c I think the hanging up so great a Picture in publick view, wherein that *Man of God* did with such exquisite draught, design, and colour thus paint his *Princes* Character and that of his own *Loyalty* to *Eternity*, may be variously useful: and the very sight of the great *Colours* in which cannot methinks but raise the *little* ones of *Blushes* in any *Nominal* *Protestants* who do with such foul and hard hands handle the *Religionary Concernments* of *Kings* who are *Nominal Gods*, and make no difference between the danger of *Heterodoxy* in *Subjects* and in *Princes*.

I have mentioned it that there is less danger of any *Princes* believing or practising what may favour the *Papal* *Usurpation* than of such Belief or Practice in a Subject, and it were an easie matter to instance in many erroneous *Religionary Tenets*, which as held by Parties among *Subjects* may cause general apprehensions of danger, but from which as held by a *Prince* it would be ridiculous to fear any ill, or to imagine that the *Prince* can imbibe the dregs of those *Tenets* as they discriminate discontented Parties: as for example, how can any one fear that a *Prince* by believing the *Personal* *Reign* of *Christ* on Earth for a thousand years would hurt his

his own Government? or that a *Prince*, by being a *Socinian*, would hold the *Tenet* of the unlawfulness of *Defensive War*? or that a *Prince*, who favoured the *Order* of the *Jesuites*, would approve of their *Tenets* of *Calumny* and *Equivocation*, &c. and several of their vile *Casuistical Tenets*? or that any Magistracy would permit some of their *Apologies*, and particularly that of *Guymenius*, to be so much as published in the *Language* of the Country?

But the truth is, we are *Morally* bound to make a great difference in our Demeanor toward our Princes, when supposed to erre in opinions about Religion, from the Measures we are allowed to take in relation to our fellow Subjects so erring. Error is a part of Humane frailty, and Subjects are *Morally* bound to conceal the *frailties* of their Kings, and not to censure or publish them to their dishonour, and are to be more ready to *Apol-gize* for their Princes on all occasions, than for their Parents. St. Peter in that *Verse*, where the *Duty* of *honouring all Men and loving the Brotherhood*, is mentioned, subjoyns a particular Precept of *honouring the King*. We are never to think of the *hearts* of Kings, but as being in the *hands* of God, nor of any *Mists* of Errors that may be in their *heads* without thinking of the *Rays* of the Divine Power that like a *Glory* surrounds theirs, and which in the usual Concourse of Providence do dissipate all danger from any Errors within them. Tho in mens beliefs who are *Subjects*, *Religionary* Errors are often complicated with *Irreligionary* ones, yet we are to think of the *Oyl* of the Lords *Annoint-ed* as *uppermost* and appearing above such latter Errors, and suppressing the *Fumes* of them in the minds of Princes, and are to fear no more harm from the *Persons* of our Princes than from our *Guardian Angels* differing from us in many great *Religionary* Speculations, and are to think with honour of our King, as an *Angel of God* to *discern between good and bad*, Religion and Irreligion: and it is an *absurd* thing for any not to imitate the Popish *Arch-Bishop* aforesaid in clearing his *Prince*, tho of another Communion, from *Pertinacy*, since such a *Moral* defect is a *humour* of *positiveness*, that of all men Kings are most naturally free from, and whose becoming diffidence of their own understandings how great soever, is Conspicuous by the wearing away so much of their lives in hearing the *advise* of their *Council*. And when ever *Passive* Obedience is called for by Princes and must be readily payed as a due Debt, we are even then to *strain* our most improved thoughts to find an honourable Interpretation of our Princes *Actions*, in like manner as some of the Loyal *Non-Conformists* to the *Gallican Church* have done, as appears by a *Great Observation* in their *Book* called the *Policy of the Clergy of France*, a Book that *Maimbourg* in print hath acknowledged to be the best lately published by their Party, viz. That their Princes never made any great Assault on the Papal Power, but what cost their Protestant Subjects dear.

This, This is *Loyalty* worthy the name of *Christian*; and after all if yet any men will make wanton *Suppositions* of the *beliefs* or *practices* of Sovereigns being never so contrary to Religion, let those know that an *absolute* and *irrespective* Loyalty is that which by these Oaths they have obliged themselves to: and that therefore it is an *absurd* thing to attempt to exclude any *Heir* of the Crown from his *Birth-right* on any pretence of his Religion or other pretence whatsoever, since we must pay an absolute Obedience and Allegiance to him immediately on the Descent of the Crown to him, and accordingly as by these *Oaths* we have obliged ourselves to do.

Having thus in these *Conclusions* asserted the *Obligation* relating to our Kings *Heirs* and *Successors*, as resulting from the plain and genuine *Sense* of the words in the *Oaths*, altho it is a common, sure *Rule*, That *Verba ubi sunt expressa, voluntatis supervacanea est quæstio*, yet I shall *ex superabundanti* choose to corroborate such my Assertion by laying down this as my 9th and last *Conclusion*, that it is manifest that it was the Law-givers *intention* to bind the Takers of these *Oaths*, not only to bear true Faith and Allegiance to his Majesty, but to his *Heirs* and *Successors* in the Due and Legal Course of Descent, as I have before expressed.

It need not be much dilated on, that *Relations* are *Minimæ entitatis*, but *Maximæ efficacix*: and that, *Liberi sunt quasi partes & appendices parentum*, not only *Fictione Juris*, but *Naturâ & rei veritate*, and that in the framing of the *Oath* of Allegiance and the designing the Obligations to arise thence, the King had a necessary regard to natural affection, and to the preservation of the Hereditary Monarchy in the Line of his *Heirs* and *Successors*: and suitably to what is expressed in the *Preamble* of the Statute of 25 H. 8. c. 22. viz. That since it is the natural inclination of every man gladly and willingly to provide for the surety of both his Title and Succession, altho it touch his only private Cause, we therefore reckon our selves much more bound to beseech and instant your Highness to foresee and provide for the *PRESENT* surety of both you and of your most lawful Succession and Heirs.

Nor need it be much insisted on, that 'tis natural for every Government to defend and preserve it self; and to this purpose the *Author* of the *Exercitation* cites *Alsted* a *Calvinian* Divine, and likewise *Grotius* and *Dudley Fenner*, for maintaining the lawfulness of what the old *Athenian* famous *Oath* enjoined for the preservation of its *Polity*, namely, of any private Person killing any Usurper, or one who without a lawful Title forcibly invaded the Government. The *Athenians* had several *Oaths* of a high nature, by the Religion of which they tyed themselves to defend their Government: and one was the *Jusjurandum epheborum*, which they took when 20 years old, and which is set down in *Petitus* his Noble Commentary on the *Athenian* Laws, and part of which as rendered by him into *Latin*, is, *Patriam liberis non relinquam in deteriore, sed potius in meliore statu. Navigabo ad terram eamque colam, quantulacunque illa sit quæ habenda mihi tradetur. Parebo legibus quæ obtinent, &c. quod si quis leges abrogare velit, populo non sciscente, minime feram. Vindicabo autem sive solus, sive cum aliis omnibus. Patria sacra colam, &c. ad mortem usque pro nutricia terrâ dimicabo.* But this *Oath*, tho famous enough, was not *THE* famous one I referred to: but 'tis the other of which the formula is set down in *Petitus* there, p. 232, 233. and which beginneth with *Occidam meâ ipsius manu si possim eum qui everterit Rempublicam Atheniensem, aut eâ everâ Magistratum gesserit in posterum, &c.* That *Oath* of so high and strange a nature was made shortly after the driving out the thirty Tyrants and the Law made, that *Si quis Atheniensem Rempublicam evertat, aut eâ everâ Magistratum gerat, Atheniensem hostis esto, impunèque occiditor, &c.*

To secure their Government forever from future Usurpation was the intent of that terrible *Oath*: and to secure the Government of the *Hereditary* Monarchy here was the intent of our gentle ones, and sufficiently favouring of the *Mansuetudo Evangelii*, and which *Oaths*, however binding the Loyal to defend the Government with their lives, do yet strictly bind to the defence of the *Rights* and *Privileges* of the Crown, one

of which is both by the 13th of the *Romans*, and the *Lex terræ*, to be a terror to the Evil, and to bear the Sword.

But Sir E. Coke having told us in his *Commentaries*, That the true Scope and design of our Statute Laws are oftentimes not to be understood without the knowledge of the History of the Age when the particular Statute was made, I shall (looking back on the Conjunction when the Act for the Oath of Allegiance was made) take notice, that by many particular matters then obvious to all mens thoughts, it appeared worthy of the wisdom of the Government then to provide for the security both of his Majesty and of the Succession.

Any who shall read D' Offat's Letters will find the various deep designs there opened, that related to several Foreign Princes and Potentates Jealousies of the Power that England would have in the balance of the World, by the uniting of the strength of Scotland to it upon the rightful Succession of King James to the Monarchy: and perhaps rather out of a design to amuse them than out of an humour to put by the thoughts of Mortality, Queen Elizabeth did shew so much unwillingness sometimes to hear and speak of her Successor. And during the constrained *Altum silentium* of the Succession then here, a Book of the Succession was writ by Father Parsons, and which made noise enough in the World, as those Letters mention, and by which Book the Author intended that our Hereditary Monarchy should be Thunder struck, especially with the help of the Papal Breves that came here to obstruct the Succession. King James at the end of his Premonition to all Christian Monarchs, printing a Catalogue of the Lyes of Tortus (i. e. Bellarmin) with a brief Confutation of them, refers to one Lye of Tortus, p. 47, viz. In which words [of the Breves of Clement the 8th] not only King James of Scotland was not EXCLUDED, but included rather: and the Confutation is thus, viz. If the Breves of Clement did not exclude me from the Kingdom, but rather did include me, why did Garnet burn them? Why would he not reserve them that I might have seen them, that so he might have obtained more favour at my hands for him and his Catholicks? And that King in his Apology for the Oath of Allegiance, p. 29. refers to the two Breves which Clement Octavus sent to England immediately before Queen Elizabeth's Death, debarring him from the Crown, or any other that either would profess or any ways tolerate the Professors of his Religion: contrary to the Pope's Manifest Vows and Protestations Simul & eodem tempore and, as it were, delivered uno & eodem spiritu to divers of his Majesty's Ministers abroad, professing such kindness and shewing such forwardness to advance his Majesty to the English Crown.

Any one who reads in D' Offat the inclination of that Pope to Principles and Practices of this kind, will not wonder at his Majesty's thus exposing his Un-holyness: and the nature of the Breves is sufficiently there explained, and proved to be according to his Majesty's measures published of them.

That Great King was sufficiently acquainted with the Principles and Practices of the Papacy, that had been so injurious to Hereditary Monarchs. He knew that a Popish Parliament in England had shewed their Abhorrence of the Pope's being somewhat like an Excluder-General of Kings, and an Arbitrary one too, as appeared by the Words in the Statute of 25 H. 8. viz. The Pope contrary to the inviolable Grants of Jurisdictions by God immediately to Emperors and Kings, hath presumed to invest who should please him to inherit in other mens Kingdoms and Dominions,

ons, which we your Loyal Subjects Spiritual and Temporal abhor and detest: and the practices at Rome for King James's Exclusion had made deep impressions in his thoughts. As he was a Prince of great Reading he could not but know particularly the many Anti-Monarchical Tenets that were published by many Popish Commentators, positive Writers, School-men, Canonists, and never censured by any Index Expurgatorius, tho yet several Popish Authors who asserted the Power of Kings were so censured, and particularly Bodin de Republicâ: and he could not be ignorant of Popes having required several Crowned Heads to swear Fidelity to them and their Successors, and that particularly the Pope sent Hubertus to require William the Conqueror to swear Allegiance and Fidelity to Him and his Successors, and who magnanimously refused so to do: and that the Papacy endeavoured to root its Power in the World by obliging men in their Oaths of Fidelity to any particular Pope, to swear the same likewise to his Successors, according to the common Style in those Oaths, viz. *Fidelis & obediens ero Domino Papæ, &c. & suis successoribus*: and that thus too the Oath of all Popish Bishops at their Consecration runs; and that the Great Austrian Family had not more carefully secured to it self the Scepters of the Empire by the Constitution of a King of the Romans, than the Papacy had made Provision of that King's being sworn that he would from that time be a Protector and Defender of the Pope and Church of Rome, according to those words in the Oath as I find it set down in *Magerus*, viz. *Ego N. Rex Romanorum FUTURUS Imperator, promitto, spondeo, & polliceor, atque juro Deo & beato Petro me de cætero protectorem, atque defensorem fore summi Pontificis & sanctæ Ecclesiæ Romanæ, &c.*

He had moreover considered the great Fermentation in the minds of so many Loyal People in England, by Queen Elizabeth's being so reserved as She was in the business of the Succession, and which as Dr. Matthew Hutton Arch-Bishop of York mentioned in a memorable Sermon he preached before her at White-Hall, Gave hopes to Foreigners to attempt fresh Invasions, and bred fears in many of her Subjects of a new Conquest, and who thereupon very loyally said then, *The only way in Policy left to quell those hopes and assuage those fears were to Establish the Succession, and at last intimating as far as he durst (saith my Author) the nearness of Blood of our present Sovereign, he said plainly, That the expectations and presages of all Writers went Northward, naming without any Circumlocution Scotland.* There is an Abstract of this Loyal and Learned Sermon (and which throughout pointed at the Succession) in the History of some of the Bishops of England in the time of Queen Elizabeth, printed in the Year 1653: and the fate of the Sermon was such that tho perhaps it tickled not the Ears of that Queen, it so far touched her Conscience that the Historian saith, *She opened the Window of her Closet and gave the Arch-Bishop thanks for it.*

No doubt but Parsons saying in his Book of the Succession, That he thought the Affair about it could not be ended, without some War, did much heighten the Popular Fears of War happening thereupon: and 'tis most probable the long fear of War in that Fermentation did variously weaken the Kingdom. Nor is it a new thought for the long fears of War to be held to bear some proportion to the mischief of War it self, in obstructing Trade and Commerce; insomuch that several Writers of the Regalia and fiscal matters among the *Tractatus Illustrium*, have told us, That *Quando timor belli idem operatur quod ipsum bellum, remissio sit conductoribus*, (i.e. of the Revenue) and hath Entitled them to defalcations

tions. We may imagine by the just effects of our late *Fermentation*, what the state of the *Body Politick* was in that, namely, like the state of long tormenting *anguish* in the *Body* natural upon the pricking of an *Artery*, and importing often more trouble and danger than the cutting of one. And by the great triumphant *Flame* of joy appearing in the *Act* of *Recognition* in King *James's* time, (and which appears in our *Statute-Book*, as I may say, like a *Pyramid* of the *Fire* of *Zealous Loyalty*, and greater and higher than any former *Act* of that nature) we may judge how overjoyed all the Loyal People of *England* were on his coming to the Crown: and as *Pliny* in his *Panegyrick*, saith of *Nerva's* adopting *Trajan*, *It was impossible it should have pleased all when it was done, except it had pleased all before it was done*, the same might be applied to the *Case* of King *James's* Succession to the Crown. The very *Title* of the *Act* speaks the Triumph of the Hereditary Monarchy, viz. *A Recognition, that the Crown of England is lawfully descended to King James, his Progeny, and Posterity*. There was an end of all the dreadful inconveniences of the uncertainty of the *Succession*, and of the fears of the People of what was worse than being torn in pieces by wild *Horses*, I mean the rending their *Consciences* by contrary Oaths about the *Succession*, as in *Harry* the 8th's time. There was an end of the fears from the growing greatness of *France*, and fears of any Foreign *Fremuerunt gentes*. *England* was restored to it self, and *Scotland* added to it: and tho *Boccaline* like an airy *Ingenioso* in his *Politick Touchstone* makes *England* weigh less on the throwing *Scotland* into the *Scales*, any one will find that in him but grave *Romancery*, who shall consider what with Oracular Wisdom another-guess States-man than *Boccaline* told *Harry* the 4th, I mean *D' Ossat* in his long Letter to him from *Rome*, Book 7th, and *Anno* 1601. where he saith, That the Pope desisted not to hope that his Majesty might be perswaded by reason of State to endeavour that the Kingdoms of *England* and *Scotland* may not be joyned in the Person of one King, considering the great mischiefs that the English alone have done to the French more than all other Nations put together, &c.

And indeed that *England* is at this day preserved not only from the danger of being overbalanced by *France*, but from the loss of its ancient figure of balancing the World, must highly be attributed to the Hereditary Monarchy being fixt in the Line of King *James*, and to *Scotland* being thrown into the *Scales* as was said: and if any one shall tell me by the way, that the weight of *Scotland* was prejudicial to *Loyalty* in 41, I shall answer him, that its weight hath in this present Conjunction of 81 afforded *Loyalty* so great a Compensation by that late *Act* of *Parliament* there acknowledging and asserting the Right of the *Succession*, &c. and which begins thus, viz. *The Estates of Parliament considering that the Kings of this Realm deriving their Royal Power from God Almighty alone, do succeed lineally thereunto according to the known Degrees of Proximity in Blood, &c.* that as *Historians* tell us how in the dark barbarous times many hundreds of years since men repaired from all Countries to *Ireland*, to learn the *Liberal Arts* and *Sciences*, I shall say that they may now profitably go to *Scotland* to learn *Loyalty*: and I doubt not but that Kingdom which is so notorious for its mortal, or immortal hatred of *Poperie* (call it which you will) and even of that very part of it which I call the *Religionary* one of it, having thus by the *Exterminium* of that *irreligionary* part of it, viz. That *Dominion* is founded in *Grace*, taught us *Loyalty* in the establishing the Hereditary *Lineal* Succession, may be as instrumental in giving *Loyalty* in the *Body* of the People here, its *tempe-*

ramentum ad pondus, as it was formerly in oppressing us with its weight, as a *gravamen*, and be an occasion of blessing our Land with such a joyful *Conjuncture* of time as ensued after King James's Succession, as I have before mentioned, and to the Consideration of which I shall return.

England that had formerly, by reason of the uncertainty of the *Succession*, being like the *Erratica Delos*, a floating Island, and that too in Seas of Blood, and did then appear like it afterward, fixed and blessed with a *Pacifick* and *Oracular* King, and as strong a Foundation for the Hereditary Monarchy as could be wished, was shortly after in danger of being again unfixed by the Outrage of the *Gun-Powder* Treason, and the *Principles* that legitimated that practice, being *really believed and practised*; and an account of the practice of which Treason we have in the *Statute* of 3^o *Jacobi* c. 2. as likewise of the fiery *Principles* that animated the *Actors* to it in *Thuanus*; and in King James his *Premonition to all Christian Monarchs*, p. 10. a general reference is made to the *violent bloody Maxims* that the *Powder-Traytors* maintained: and by occasion whereof after the designed outrage against the *Lineal* Succession of the *Prince* and the Hereditary Monarchy being in danger while such bloody *Principles* and *Maxims* were not exterminated, it was in ordinary prudence requisite to apply the extraordinary Remedy of the *Oath of Allegiance*, to rivet that Fundamental *Maxim* of the *Crown* the stronger in Nature, viz. *That the King never dies*. And the Addition of those words in the *Promissory* Clause of the *Oath of Allegiance*, viz. *HIS or THEIR Persons, THEIR Crown and Dignity*, and which words were not in the *Oath of Supremacy*, was a plain indication of the *intention* of the Law-givers to tie Mens Souls to the Hereditary Monarchy in the Due and Legal Course of Descent.

And moreover with a prospect to mens having a conscientious regard to the King's *Heirs* and *Successors*, the *Fathers* of our Church then probably in the *Preface* of the *Collect* in the *Common-prayer* for the *Prince* and the *King's Children*, as overjoyed with the sight of King James's being enriched with a most *Royal Progeny* (as the words in the *Act* of the Recognition are) did cause these words to be inserted, *Who art the Father of thine Elect and of their SEED*.

The *Preface* to the *Act* requiring the *Oath of Allegiance*, hath in it the expression of *Loyalty and Allegiance unto the King's Majesty and the CROWN* of England, and mentions the design of the *Gun-powder Treason* as tending to the *subversion of the whole State*: and therefore if in the ancient times of Popery (and when the *Pope* was generally revered here as a 13th *Apostle*) upon any emergent Papal Usurpations which gave just cause of apprehending future ones intended, and particularly in the Case of the *Pope's Mandates* or *Bulls*, which were called *Gratiæ expectativæ* or *provisiones*, and pretendedly issued out of the *Pope's* pious care to see a Church provided of a *Successor* before it needed, our Kings did think themselves obliged to provide *Statutes* against *Provisors*, whereby the *Jus patronatus* was secured to them and their Subjects, and by *Statutes* of *Præmunire* did as it were build *Forts* before the *Enemies* coming, the *Præmuniment* of the Hereditary Monarchy by the *Oath of Allegiance*, was most necessary to prevent any *Papal Gratiæ expectativæ* of the *Crown*, and the *Popes* impious care to provide a *Successor* to its Hereditary Rights. The *Præmuniment* of some *Laws* by others is no new thing nor yet a new word, however some idle *Criticks* have accounted the word *præmunire* in our *Statutes* to be barbarous; for *Grotius* in his *De jure belli, &c.* l. 2. c. 5. §. 14. speaking of some *Laws* of the *Jews* saith, *In*

quarum

quarum προφυλακήν, Et ut Hebræi loquuntur præmunimentum additæ sunt leges cæteræ: and according to the sense of some taking *præmunire* for *præmonere*, the constant *premonition* of Heavens great *Monitor* called *Conscience*, (and which is the *pulse* of the *Soul*, and like the *Pulse* is *Fidelis nuncius vitæ aut mortis*) to warn men by this *Oath* to defend the *Lineal* Succession of the Crown, was no less necessary: and King James's settling the *Premonition* in the minds of his own Subjects, was but naturally previous to his *Premonition* sent abroad to Foreign Princes and States.

And how far *Harry the 7th's Statute* by which no Person who should serve the King for the time being, &c. should therefore be attainted or impeached, might induce the Government to secure the undoubted Rights of Succession, by the *Oath of Allegiance* being framed as it was, and rooting our *Loyalty* thereby the deeper into our *Consciences*, and by the fear of our being justly impeached in the Court of *Conscience in omnem eventum*, if we defended not those Rights of Succession, is obvious to Consideration.

As I have thus in this *Conclusion* shewed that it was the Law-givers intention, particularly in the *Oath of Allegiance* to oblige us to pay our *Allegiance* not only to the King, but to his *Heirs* and *Successors* in the Legal Course of Descent, so I might here further *Ex superabundanti* dilate on such intention being to secure the same without any respect to the *Religion* of such *Heirs* and *Successors*. A Prince of such profound Learning and Observation as King James could not be ignorant of what hath been since, by the Loyal Writers of the *Succession*, so clearly and strongly asserted, viz. That the *Succession to the Crown is inseparably annexed to the Proximity of Blood by the Laws of GOD and NATURE*, and That *Statute-Laws contrariant to those are null and void*, and That the *Hereditary Monarchy was indisputably founded on inherent Birth-right according to the Style of the Act of Recognition*, and not any *Religionary Regeneration*, and That the accession of the Crown purgeth all Obstructions.

And that that Prince did by the *Oath of Allegiance* design only to twist the Band of our natural Allegiance the stronger (an Allegiance tyed not to Princes Faith of the Cross, but to their Crown) appears throughout his *Apology* for the *Oath of Allegiance*. He likewise in his *Premonition to all Christian Monarchs*, p. 9. doth with some warmth of words reflect on the Malice of some who impudently affirm, That the *Oath of Allegiance* was devised for deceiving and entrapping of Papists in point of *Conscience*: and saith, That tho the House of Commons at the first framing of the *Oath* made it to contain, That the Pope had no Power to excommunicate me, which I caused them to reform, only making it to conclude that no Excommunication of the Popes can warrant my Subjects to practise against my Person or State, &c. so careful was I that nothing should be contained in this *Oath* except the profession of Natural Allegiance, and Civil and Temporal Obedience, with a promise to resist to all contrary uncivil violence. From thence it appears that what looked like the *Religionary* part of Popery, namely, the Pope's exercising a *Spiritual Power* against him, or the *Nation* as *Aquinas* delivers it, That there is *Potestas in summo Pontifice puniendi omnes mortales ratione delicti*, he intended not to whet the sharpness of the *Oath* against, but only against the *Irreligionary* part of Popery beforementioned, and as to which he might rationally depend on the Zeal of any *Heir* or *Successor* tho *Roman Catholick* concurring with his therein.

He

He having in the foregoing Page mentioned how that Parliament that was to have been blown up, made some new Laws against Papists, saith, So far hath my Heart and Government been from any bitterness as almost never one of those sharp Additions to the former Laws have ever yet been put in Execution. The Execution of some Laws of pecuniary Mulcts on Papists who in that Conjunction believed the irreligionary part of the Papal Power, might seem to carry such a Face of Justice with it, as the practice of the Custom-house doth pursuant to the 13th and 14th of Harry the 8th, c. 4. Whereby any English man or born Subject of England, who shall swear Obeysance or live as Subjects to any Foreign Prince shall pay Aliens Customs: but 'tis a madness to think of any Prince's abdicating his Temporal Power, and swearing Temporal Obeysance to any one, and no man but he who has *Læsa principia*, can suppose that King James, who avowed in his Premonition, That no man in his time or the late Queens ever died for his Religion, nor yet any Priests after their taking Orders beyond Sea, without some other guilt in them than their bare coming home, and who p. 16. of his Apology avows and maintains to his own knowledge, that Queen Elizabeth never punished any Papists for Religion, but that their punishment was ever extorted out of her hands against her will by their own mis-behaviour, could ever intend that by the withdrawing of Allegiance from any of his Heirs in the Course of their Lineal Succession, on the pretence of any of their Religionary Notions or other pretence or ground whatsoever, there should be a *solutio continui* or political death inflicted on the Hereditary Monarchy, by the preserving of which the lives of all the People of England could only be preserved.

He in his Premonition and Apology discharged the Moral Offices of honouring all men, with relation to Papists his Subjects, and judgeth some of them to be of quiet dispositions and good Subjects, and in p. 3, 4. 46, 47, 48. of his Apology, he makes a difference between many of his Popish Subjects who retained in their hearts the print of their natural Duty to their Sovereign, and those who were carried away with that Fanatical Zeal the Powder-Traytors were, and useth the expression of quietly minded Papists, and Papists, tho peradventure zealous in their Religion, yet otherwise civilly honest and good Subjects: and acknowledgeth, That his Mother, altho she continued in that Religion wherein she was nourished, yet was so far from being superstitious or jesuited therein, that at his baptism (tho he was baptized by a Popish Arch-Bishop) she sent him word to forbear to use the spittle in his Baptism, which was obeyed: and in his Premonition speaking to Roman Catholick Princes and wishing them to search the Scriptures, and ground their Faith upon their own certain knowledge, and not on the Report of others, since every man must be safe by his own Faith: but leaving this to God his Merciful Providence in his due time, he further wisheth them to imitate their Noble Predecessors, who in the days of greatest blindness, did divers times courageously oppose themselves to the encroaching Ambition of Popes: and acknowledgeth, That some of their Kingdoms have in all Ages maintained, and without interruption enjoyed their liberty against the most ambitious Popes, &c. and saith, That some of those Princes have constantly defended and maintained their lawful freedom to their immortal honour: and concludes his Premonition with earnest Prayers to the Almighty for their prosperities, and that after their happy Temporal Reigns on Earth, they may live and Reign in Heaven with him forever.

This Learned King did sufficiently thereby Proclaim himself an Enemy to the Papal Tenet of founding Dominion in Grace, as to those Foreign Popish

Popish Princes, and could not therefore but more abhor the effects of it in the Case of his *Hereditary Successors*; and he having judged that those Foreign Princes who owned the Religious *Tenets* of Popery, did yet constantly defend and maintain their lawful freedom from all *Papal Usurpations* to their immortal honour, and with so devout a Charity pray'd for their happy *Temporal Reigns on Earth*, and that they may live and reign in *Heaven* afterward, could not but suppose that any of his Heirs who might be of the *Roman Catholick Communion* would yet disown any *Tenet* of Popery that was *irreligious*, and would *Exterminate* all *Papal Usurpation*, and that they might here expect a *happy Reign on Earth*, and a happier in *Heaven* hereafter, leaving it to God to open their *Eyes* (as aforesaid) in matters Religious, and to render them safe by their own Faith.

King James in his *Apology for the Oath of Allegiance* doth incidenter, prop up the Justice of the *Oath of Supremacy*, and in p. 49, 50, 51. doth insert 14 contrary *Conclusions* to all the *Points* and *Articles* of which the *Oath of Supremacy* consists, to denote the *absurdity* of the opposing that *Oath*: and which *Conclusions* tho many *Clerical* and *Lay-Papists* among his Subjects might maintain, yet he might well think it *Morally impossible* for a *Roman Catholick Prince* here to do so: and he gives a very good reason for the inducing any one so to judge of his measures, viz. *That those Conclusions were never concluded and defined by any compleat General Council to belong to the Pope's Authority: and their own School Doctors are at irreconcilable odds and jars about them.* He had then his Eye on the *Lateran Council* as appears by the other words there in the *Margent*, viz. *Touching the PRETENDED Council of LATERAN*, See *Plat. in vita Innocen. 3.* and by which *Council* the King knew that all except two or three of those *Conclusions* were concluded and defined. If therefore many of the poor petty *School-Doctors* were so fearless of the *Papal Thunder*, as in Cases when they were perhaps unconcerned to impeach the *Papal Usurpation*, there was no cause of apprehension in that our wise Monarch that any of his High-born *Heirs* and *Successors* would ever favour the *Usurpations* of that Authority.

When Queen Elizabeth was so firmly satisfied concerning the *Loyalty* of the *Roman Catholick Lords* Temporal, and of their great *Quota* in the *balance* of the Kingdom securing their abhorrence of all *Papal Usurpations*, as not to impose the *Oath of Supremacy* on them, (tho yet She took care to have it imposed on the *Popish Bishops*) can we imagine that the great Interest of an *Heir* of the *Crown* in the *Hereditary Monarchy*, did not give a *Plerophory* of satisfaction to that Great Monarch, that such an *Heir* would never permit any *Usurpation* to prejudice his *Crown Imperial*?

Moreover if in the Case of the device of an Inheritance by *Will* on the Condition of the *Legatees* not holding this or that Philosophical or Religious *Tenet*, the *absurdity* of such Condition would not frustrate the device, but would be taken as *Pro non adjectâ*, and that thus in that known Case in the *Digest*, viz. *Of an Heir made on an absurd Condition*, namely, *On Condition he should throw the Testators ashes into the Sea*, the *Heir* was rather to be commended than any way questioned who forbore to do so, how can we think in the Inheritance of the *Crown* (which is from God and by inherent Birth-right) any such supposed absurd Condition of a Prince's not believing this or that Speculative Religious *Tenet*, (and for his professing of which he hath a dear bought *Liberty* by the ἡ ναὺν διαδίνην,

or the *New Testament* of *Jesus Christ*) should be intended to operate to his prejudice?

But that I may in a word *perimere litem* about that Kings never intending the least prejudice to the Succession, by any of his *Successors* being *Roman Catholics*, I shall observe that that King who was so great and skillful an *Agonist*, for the *Doctrine* and *Discipline* of the Church of *England*, did yet in the *Articles* of the proposed *Match* with *Spain*, and afterwards with that of *France*, agree that *the Children of such Marriage should no way be compelled or constrained in point of Conscience or Religion, and that their Title to the Crown should not be prejudiced, in Case it should please God they should prove Roman Catholics: and that the Laws against Catholics should not in the least touch them.* And that the sense of the *Government* then was likewise to that effect avowedly declared, is manifest from the *Passages* of those times: and the needless quarrel therefore that our late *Excluders* would have exposed us to with *France*, was a thing worthy their considering.

But enough of this *Conclusion*, if not too much: for where the *Tide* of the *Words* of any *Oath* runs strong and clear, we need not to regard the *Wind* of any *Law-givers* intention: however yet I have made it appear for the redundant satisfaction of the *scrupulous*, that while they have embarked their *Consciences* in these *Oaths* they have had such *Wind* and *Tide* both together on their side: and that therefore any *Storms* which the *Takers* of these *Oaths* relating to the *Lineal Succession* of the *Crown* may have raised either in their *Consciences* or the *State*, must be supposed to be very *unnatural*.

Having thus in the foregoing *Conclusions* asserted and proved the *Obligation* relating to the Kings *Heirs* and *Successors*, as resulting from the *Oaths* of *Allegiance* and *Supremacy*, I shall briefly answer such objections thereunto or rather *Scruples*, (for they deserve not the name of *Objections*) as some noisy *Nominal* Protestants have troubled themselves and others with, and so end this *Casuistical* Discussion.

The first *Objection* or *Scruple* then I shall take notice of that some have raised against the *Obligation* of these *Oaths* as above asserted, is that they were made in relation to *Papists* only, and were enjoined to be taken for the discovery of those that were suspected to be so.

As to which it will be sufficient to say, that it is most plain that all *Persons* who have taken these or any other lawful *Oaths*, are bound by *Deeds* to fulfill what they have sworn in *Words*: and it is an absurd thing to doubt whether the *Law* intended that those *Persons* should observe the *Oaths*, whom it hath enjoined to take them. And to this purpose we are well taught by *Bishop Sanderson* in his 6th *Lecture* of *Oaths*, That *tho Papal Usurpation was the cause of the Oath of Supremacy, (the arrogating to himself the exercise of Supreme Jurisdiction in spiritualibus, throughout this Kingdom) yet the Oath is Obligatory according to the express words in the utmost Latitude: the reason is, that the intention of a Law is general to provide against all Future inconveniences of the like kind or nature, &c.* I refer the *Reader* to him there at large.

By the Measures of that *Bishop* as to the *Oath* of *Supremacy*, we likewise may direct our selves in the *Oath* of *Allegiance* being *Obligatory* according to the *express words in the utmost Latitude*, tho that *Oath* was made by occasion of the *Gun-powder* *Treason*.

And as to the *intent* of the *Oath* of *Supremacy*, *King James* tells us in his *Apology for the Oath of Allegiance*, p. 108. That it was to prop up the
Power

Power of Christian Kings as Custodes utriusque tabulae, by commanding Obedience to be given to the word of God, and by reforming Religion according to his prescribed Will, by assisting the spiritual Power with the Temporal Sword, &c. by procuring due Obedience to the Church, by judging and cutting off all frivolous Questions and Schisms as Constantine did, and finally by making Decorum to be observed in every thing, and Establishing Orders to be observed in all indifferent things, &c. whereby his Majesty doth clearly denote the intention of that Oath to have been to extend against any Non-Conformists continuing their Schism in the Church.

And as to the Oath of Allegiance being intended against Protestants as well as Papists making a Faction in the State, the Book called *God and the King*, compiled and printed by King James's Authority, sufficiently shews throughout, by the Notification of the particular Moral Offices required by the Oath of Allegiance, and likewise by his Subjects natural Allegiance, and which Moral Offices are there strengthened with passages out of the Scriptures and Fathers: and the Doctrine of absolute Loyalty is there well Established, and likewise the Doctrine of Resistance overthrown, and the Scope of the Book is to plant Loyalty throughout the Kingdom: and to make the Oath of Allegiance be *re vera* a Premuniment in all mens Consciences against Faction and Rebellion.

The Sect of King James's old Enemies in Scotland the Puritans, and whom he said he found there more dishonest than the Highlanders and Border-Thieves, is not named in that Book; and he having cleared them from being participants in the Gun-powder Treason, did with Justice as well as perhaps with hopes of their emendation after the Tenets of Loyalty that had been then lately published by the English Non-Conformists, order that Sect not to be in that Book marked *Nigro carbone*. But he could not but know their former Principles as well as Practices here as exactly as any one: and in his Canons here published a Year before the Gun-powder Treason, The impugnors of the Rites and Ceremonies in the Church of England were variously censured; the Authors of Schism in the Church of England were censured by the 9th Canon, and the maintainers of Schismatics by the 10th, and by the 27th Schismatics were not to be admitted to the Communion. The maintainers of Conventicles were censured by the 11th, and the maintainers of Constitutions made in Conventicles censured by the 12th: and it refers to the wicked and Anabaptistical Errors of some who outraged the King's Supremacy and Regal Rights, and who did meet and make Rules and Orders in Causes Ecclesiastical without the King's Authority: and therefore as the King knew that such Persons who had made Schisms in the Church had thereby made Factions in the State, and would make more (the Church being necessarily included in the State) and would be as dry Tinder ready to take the Fire of Rebellion from such Republican Tenets as were in Parsons's Book of the Succession, and the Writings of Bellarmine and other Romanists, and being justly apprehensive that such Antimonarchical Principles as had infected the Scotch Puritans might in time infect the English ones, as well as that the Principles of the Powder-Traitors might infect other Loyal Papists, he applied the Oath of Allegiance as a general necessary Antidote to the Consciences of his Subjects to prevent such infection.

In p. 109. of his *Apology for the Oath of Allegiance*, he cited Bellarmine for the Tenets, That Kings have not their Authority nor Office immediately from God, and that Kings may be deposed by their People for divers respects;
and

and when such Writers did so spitefully with the *Papal* Power endeavour likewise to bring in the *Sea* of the *People* to overwhelm Kings, it was time to raise the Bank of that *Oath* the higher against the same, and for the *Takers* of that *Oath* to be obliged to bear *Faith and True Allegiance* to his Majesty, his Heirs, &c. and him and them to defend, &c. against all *Conspiracies*, &c. which shall be made against his or their Persons, their *Crown and Dignity*, by reason or colour of any such Sentence or Declaration or OTHERWISE, and to declare that neither the Pope, NOR ANY PERSON WHATSOEVER hath Power to absolve them of this *Oath*.

When therefore I see any serious man *disloyal*, who hath took the *Oath* of *Allegiance*, and whom *Necessity* (as we say) doth not draw to *Turpitude*, I still attribute much of his *disloyalty* to his not with intense and recollected thought dwelling on the view of his *Moral Obligations* in the clear *Mirror* of that *Oath*, but to his cursory viewing them, and, as *St. James's* words are like a man beholding his natural face in a *Glass*, but beholdeth himself and goeth his way, and straitway forgetteth what manner of man he was. How many outrageous Acts of *Disloyalty* after 41 had been avoided if the *Law* of the *Oath* had been writ in the hearts of the *Takers* of it as it ought to have been? As for Example, since to *Prorogue* or *Dissolve* *Parliaments* was ever a known *Right* and *Privilege* belonging to the *Crown*, could any Person who had sworn to defend its *Rights* and *Privileges* endeavour to retrench that particular one by the *Act* for the perpetuating the *Parliament* of 40? How easie would *Princes* find their *Reigns*, and *Subjects* their *Consciences*, if these would think of all the *Royal Rights* they have sworn to defend, and how they are to defend them?

I have mentioned the great *Law* of *Athens* against any ones bearing *Office* under an *Usurpt Power*, and the terrible *Oath* for the confirmation of that *Law*, and I have likewise mentioned the Author of the *EXERCITATION*, and Mr. *Prynne* as asserting the unlawfulness of bearing *Office* under our late usurp'd Powers by reason of the *Oath* of *Allegiance* having before obliged them to the *King*, his *Heirs* and *Successors*. The Author of the *Exercitation* doth very appositely to strengthen that his *Loyal Assertion* cite an excellent passage out of *Tully's* *Epistles ad Atticum*, viz. of his doubting the lawfulness of his bearing the *Office* of a *Councillor* of *State* in such a Case: *Ec magnum sit τῶν πολιτικῶν σκευματῶν, veniendumne sit in Consilium Tyranni, si is aliquā de re bonā deliberaturus sit. Quare si quid ejusmodi evenerit ut accersamus, quid censeas mihi faciendum utique scribito. Nihil enim mihi adhuc accidit quod majoris Consilii est.* And the truth is, the great thing that inclineth so many to desire *Changes* in *Governments*, being the hopes of the *Acquest* of *Offices*, it was but natural for the *Athenian Wisdom* to fence with sharp precaution against the *lusciousness* of *Authority* under an *Usurper*, and to let every man know (as I may say) *in terrorem*, that in the day of his eating the forbidden fruit, he would die the death by the hand of every man; and for the wisdom of the Government in *King James's* time by the effect and necessary Consequences of the *Clauses* in the *Oath* of *Allegiance* to tie mens *Consciences* from supporting any *Usurpation* by bearing *Office* under it.

That *Law* and *Oath* of *Athens* were no doubt as almost all other matters of Learning known to *King James*; and could he have foreseen how the quest after *Offices* occasioned the *Demagogues* to promote the *Rebellion* of 41, (for 'tis known they were then mighty *Nimrods* after
mighty

mighty Offices in the State, and alter what particular ones) and how the several *Usurpations* supported themselves here afterward through mens supporting themselves by *Offices* under them, and how in this present *Fermentation* men have been tempted to *Faction* by hopes of *Offices* (and in pursuit of which men were never generally so wary as in this Conjunction) I am apt to think that *in uberiolem cautclam* for Loyalty, and the making men appear *perjured* even to all of the grossest understandings, who should bear *Office* under any *Usurper*, and consequently deterring them from *projecting* to alter the Hereditary Government, he would have inserted into the Oath a particular express *Clause* of not bearing *Office* here under any other.

But further to illustrate the *intent* of the Government in King James's time for making the Oath of *Allegiance* a *Præmuniment* in our *Consciences* against *Popular* as well as *Papal* *Usurpations*, I shall here call in, *Testimonium adversarii*, I mean the publisher of Cardinal Perron's long *Oration* made in the *Chamber of the 3d Estate*, or *Commonalty* of France upon the Oath of *Allegiance* exhibited in the *General Assembly* of the three *Estates* of that Kingdom, and in his long *Preface* to which he calls our *Oaths* of *Supremacy* and *Allegiance* detestable; but saith, That the greater number of the *Deputies of the 3d Chamber* did frame the form of an Oath which they wished might be ministred in that Kingdom, as that which bears the name of *ALLEGIANCE* in ours, whereby the same principal *Article* is abjured, namely, That no French King can be deposed for any Cause whatsoever, and that the contrary Opinion is *Heretical*, and repugnant to the *Doctrine* of the *Scriptures*. But this difference is found between the two *Oaths*: that whereas the English one in one of the *Clauses*, seems to exclude not only the *Authority* of the *CHURCH* over *Kings*, but even of the *COMMONWEALTH* also (yea tho it should be accompanied even with that of the Church) that of France shoots only at the abnegation of the Churches *Authority*.

The *Author* however in that *Preface* (and which was *Permissu superiorum*) contrary to the *Loyal Sentiments* of the *Majority* of that *3d Chamber*, inserts very impiously and disloyally, That *Kingly Authority* cannot come immediately from *God* to any man, but by *Miracle*: and that all the *Kings* whom we know, do either rule by force of *Conquest*, and in that Case the *Authority* of the *Common-wealth*, if it be *Usurped*, may be resumed, or by *Donation*, *Election*, *Marriage*, or *Succession* of *Blood*, in which Cases *Kings* forfeit by not performing the *Conditions*, under which either they or their first *Ancestors* did enter, whether they were expressed or necessarily implied.

But neither that *Author* nor any other *Roman Catholick* *Writer* hath writ with greater *Contempt* of and *Spight* against the *Power* of *Kings*, than some *Nominal Protestant* *Authors* have to the scandal of *Christianity* done: and that I may shew how necessary it was that the Oath of *Allegiance* should be levelled at the outrageous *Principles* of *Disloyalty* in *Protestants* as well as *Papists*, I shall conclude my *Answer* to this *Objection* with a reference to a *Book* of some vile *Nominal Protestant*, who having according to the *Bishop of Winchester's* Expression aforesaid, derived *Doctrines* of *Sedition* and *Rebellion* from the *Church of Rome's* *Writers*, were (I may add) grown therein perhaps more learned than their *Masters*. It was printed in 8^o beyond Sea in the Year 1556. and called, *A short Treatise of Politick Power, and of the true Obedience which Subjects*

owe to Kings and other Civil Governors, with an Exhortation to all true English men, Compiled by

D. I. P. B. R. W.

Who the *Authors* of it were, I know not, nor the meaning of those initial *Letters* of *Names* : but do judge it to be in *Principles* of Sedition and Treason as bad as *Doleman* of the *Succession* or *Mariana*, and to have startled King *Philip* and Queen *Mary* as much as the Book of *Killing no Murder* did *Cromwel*. I never in the Course of my viewing Books saw but one of them, and the *Reader* will quickly see why no *Library* durst in the Reign of those Princes harbor it. 'Tis there asserted, That the *Body* of every *State* may redress and correct the *Vices* of their *Governors*, and ought so to do. And the Book endeavours to prove the lawfulness of killing *Tyrants* by the *Law* of *Nature*, and prophaneth the Book of God by citing for a desperate use some extraordinary Acts of private Persons there recorded : and indeed a loyal man cannot read the Book without horror ; and especially when he shall consider what were the effects of this detestable Book. It helped to provoke the fury of *Philip* and *Mary* to flie out into the Arbitrary *Proclamation* several Months before her death, for the declaring of any one a Rebel, and being without delay executed by *Martial* Law, with whom that and other Books of that Nature printed beyond Sea should here be found. And another effect of the publication of that and those other Books was to irritate the Government against those poor Innocents who were here martyr'd, and who sufficiently abhorred such Treasonable Books : for this Book was published beyond Sea, and probably imported here about two years before her death. But for the honour of our *English* Exiles then, I judge that none of them had a hand therein : I having observed many Words, and Idioms and Phrases there to have been *Scotish*.

It is probable that King *James* and his *Ministers* had heard of this execrable Book, wherein some *Nominal* Protestants trumpeted out their *Principles* of real Rebellion ; and no wonder then if the *Oath* of *Allegiance* was therefore framed with *Clauses* to secure the Government from all irreligionary *Principles* of Protestants as well as *Papists*.

It hath been objected in the second place against our being become bound to the Kings *Heirs* and *Successors* by Virtue of those *Oaths*, that it is by all *Casuits* agreed that among the *Tacit* Conditions that are presumed to be in all *Oaths* (and which are to be regarded as much as if they were express'd) *Rebus sic stantibus* is one : and that that therefore as none of the King's *Heirs* was then excluded from the Privilege or Right of his *Lineal Succession* by the *Legislative* Power, so if things thus stood with him at the time of the *Descent* of the Crown, that is, at the time of the Kings decease, the Oath obliged to the payment of absolute and irrelative Loyalty to him then : and that thus when the King's *Heirs* and *Successors* were *Kings* and *Queens* of this *Realm* according to the Style of some old *Oaths*, they would be Entitled to our *Allegiance*, and not otherwise.

In Answer to this Objection, I shall say first, that if we should admit that which is not true, that the *Rebus sic stantibus* were so to be applied in this Case, yet it is most clear that the Takers of these *Oaths* who were any *Members* of the *Three Estates* in Parliament were thereby *ipso facto*, and actually

actually bound (as I have said in the 7th Conclusion) not to do any Act there to exclude the Succession according to proximity of Blood: and moreover any of the People who took these Oaths were thereby Morally bound not to choose any to represent them in Parliament from whom they might fear their endeavouring of such Exclusion.

Secondly, Premising that there was somewhat of irreverence in supposing that the Legislative Power would ever afterward make a *Solutio continui*, (as I called it) in the Hereditary Monarchy, yet it must be said that any supposed Act of that kind would be Null and Void, as the Loyal and Learned late Writers of the Succession have shewed, and to whose Writers of that Subject I refer: and therefore our Obligations to the King's Heirs and lawful Successors by Virtue of these Oaths must remain uncancelled in the Court of Conscience: and however any Act of Parliament supposed to be made against the Law of God, may a while be *de facto* received in any Courts of Law, yet is it in the Court of Conscience to be looked on as a poor Escrole, and as not worthy the name of a Law.

It is most manifest that by these Oaths, there is *jus alteri acquisitum*, I mean to the King's Heirs and Successors, as well as to the King; and that therefore any supposed relaxation of the Oaths without the consent of all Parties for whose behoof they were made, is a thing Nugatory and not allowable in the Court of Conscience.

And as I have speaking *cum vulgo* called some Anti-Papists, whose Principles tend to Faction in the State and Schism in the Church, Nominal Protestants (tho yet I should be still as much content with any Law that made it Penal to call them Protestants, as with one that should be so to call Quacks Physicians) so I should in the Court of Conscience call any Acts of Parliament that are contrary to the Eternal and Natural Rules of indispensable Justice, only Nominal Laws, suitably to what is said in the admirable Preface of Aërodius his *Rerum Judicatarum Pandect*: viz. *Quod si quid iniquè, malo more, sordibus, & adversus illam sempiternam legem atque immutabilem, hic aut illic judicatum, transactum sit, qualis fuit apud Græcos Socratis, Phocionis, apud Romanos Metelli Numidici, Rutilii Rufi, M. Ciceronis damnatio; in ecclesiâ Flaviani, Johannis Chrysostomi: contra absolutio P. & Sexti Clodiorum, atque adeo Gabinii, quam propterea legem impunitatis appellarunt, non magis judicata aut decreta debent appellari, quam Sciaë, Apuleiaë, & Liviaë leges. Leges non sunt inquit Cicero.*

But Thirdly, The just allowance of the *Rebus sic stantibus* that can be in this Case is this, there being nothing of pretence of relaxation from all Parties supposeable, these Oaths bind us to the King's Heirs and Successors, as long as there is any ONE of them remaining in the World: and without the insertion of the words in the Oath of Allegiance, viz. *I do believe and in Conscience am resolved that neither the Pope NOR ANY PERSON WHATSOEVER hath Power to absolve me of this Oath or any part thereof*, its indispensableness to those who know the Obligation of Oaths to be *jure Divino naturali*, would have sufficiently appeared. In fine, there are *Rationes boni & mali æternæ & indispensables*, and to stand to promises is one of the things that are simply and in their own nature good, and it is impossible (as the Scripture saith) That God should lye, and therefore man made after God's image, must therein answer the Archetype: and hereby our Princes have the Garranty of our Allegiance sworn to them, their Heirs and Successors being indispensable by Popes, or Acts of Parliament, or by God himself: for he cannot dispense with the Law of Nature, *Humanâ naturâ manente eadem*. Lastly,

Lastly, It is most manifest from what I have already said, that any such *Tacit Condition* in these Oaths as before mentioned, was contrary to the *sense of the Imposer* as well as to the *Words*, and was therefore not allowable in the *Court of Conscience* in this Case: and I believe that the *Consciences* of such who have made this *Objection*, must tell them, that when they took these Oaths, their *sense* of them was then contrary to any such condition being allowed. And therefore any such *After-birth* of a strained *Interpretation* being so contrary to the Law of God and the Land, and the *sense* of the *Imposer*, as well as the words of the Oaths, and to the *sense* in which they actually took them, must be thrown away.

There hath been a third *Objection*, if it may be called one, or if yet it may be called a *Scruple*, for I think it hardly deserves the name of that. However it having got under some mens feet, or into their heads, it hath made them so *uneasie* as frowardly to trample on the Rights of Crown'd Heads, and it hath troubled us by the name of *Hæres viventis*, and as if that were a *Chymæra*, when as indeed the *Objection* is altogether *Chymical*.

When Sir L. J. had with so much clear reason shewed much to this purpose, viz. *That the Exclusion-Bill was against the Fundamental Justice as likewise the wisdom of the Nation, and that it would induce a CHANGE in the Government: and that was likewise against the Religion of the Nation which teacheth us, That Dominion is not founded in Grace, and that we are to pay Obedience to Princes whether good or bad, as accordingly the Primitive Christians did, and that it was against the Oaths of the Nation, namely, of Allegiance and Supremacy: and that his R. H. is the King's lawful Heir, if he hath no Child, and in the Eye of the Law we are sworn to him*, and when he had further signalized the weight of his Political Remarks, and Learning in that *Speech* as well of as his *Loyalty*, so as on the account of both to merit a place for it in the *English Story*, and had instanced in some Princes and their Subjects of different Religions living very happily together, it may perhaps be a blot in that Story, that Sir W. J. in an answer to that *Speech* granting, *That we are sworn to the King, his Heirs and Successors*, said further, *That we are not obliged to any during the King's life, but to himself: for it were Treason if it were otherwise. The King hath no Heirs nor Successors during his life: for according to his Law* (meaning Sir L. J's) *and ours, Nemo est hæres viventis.*

In answer to which, I shall say that that *Proverbial Latin saying* in the Law Books doth amount to no more in nature, and hath no more influence on Humane Affairs, nor particularly on *Moral Offices*, than that kind of *Proverbial Sayings* in the *New Testament*, viz. *For where a Testament is, there must also of necessity be the death of the Testator, or a Testament is of no strength while the Testator liveth.* Every one knoweth that a *Will* is in its own nature revocable, and Legatees and Executors may be altered by the Testator: and for any one to quote it as a Maxim, *Nemo est Executor viventis* (and for a Legatee, or in effect an Executor in a *Will*, the word *hæres* is often used in the *Civil Law* and by the Writers of it) will be no more significant, than the telling the Legatee or Executor is, that they must not meddle in the Testators Goods till he be dead: and it may usefully operate to divert People from the slothful Omissions of making their Wills in due time, out of a fond imagination that their Legatees or Executors would have a Title to any thing before the Testators death.

But

But after what hath been said of the *revocableness* of *Wills*, if I have lawfully sworn to continue such a man my Heir, or Executor of my *Will* or *Legatee* therein, can I then at my pleasure with a *Salvo* to *Conscience* alter it therein? And if a *Father* hath sworn to give his Children such a part of his *Estate* by his *Will*, as by the *Civil Law* is due to them out of his *Estate* when he dies, shall he then be allowed in the Court of *Conscience* to alter such bequest *Ad libitum*? This comes a little home to our Case: for we have before hand sworn to pay the King's *Heirs* at the Descent of the Crown the *Allegiance* that will be due to them then by *inherent Birthright*.

St. Paul writing to the *Romans* alludes to that Custom of the *Roman Laws*, and which is yet retained in *Germany* and many other places, viz. *And if Children, then Heirs*, and makes them certainly *Hæredes viventis*: and when any by the *Civil Law* were *Hæredes ab intestato*, or *Heirs at Law*, that Law as it made no difference between Land and Goods, so neither did it between Eldest and Youngest, nor Male and Female, but divided the whole *Estate* real and personal, equally among the Children; and the Law tying Parents to leave a *Quota* in their *Wills* to their Children, St. Paul's Consequence was good, i. e. *if Children, then Heirs*. We know that the *Heirs* of our *Kings* are not such as that Law called *Hæredes Testamentarii*, but they succeeding by the right Divine and Inherent Birthright, may be said to be *Hæredes legitimi*, and when in the King's Life-time the Law hath enjoined men by a Liquid Oath to defend all *Privileges, Prebeminences* belonging to the King's *Heirs* and *Successors*, can it be either *Law* or *Sense* to say they are now no *Heirs*, and that any who have taken that Oath may actually exclude such *Heirs* because they are not actual *Successors*, and as if too none could be a *Successor* but an actual one, according to that old *Dictum*, *That no Prince ever put to death his Successor*?

But to shew further how grossly Sir W. J. was mistaken in his interpretation, and applying of the saying out of the *Civil Law*, viz. *Nemo est hæres viventis*, I shall refer to *Paulus de Castro* (as Eminent a Commentator on the *Civil Law* as any one whatsoever) who doth on the *Digest De liberis & Posthumis. l. Gallus §. etiam n. 3^o & 4^{to}* discuss the point of *Hæres viventis*, and where he saith, *Nota quod filius vel alius descendens in potestate patris, qui tenet primum locum dicitur esse suus hæres etiam vivente patre*; and then objects the saying, *That Vivens non habet hæredem, ergo non suum hæredem*: and he answers, *That istud verbum HÆRES idem significat quod DOMINUS, &c. & potest sumi duobus modis 1^o propriè prout est Successor in Universum jus quod defunctus habuit (meaning hæres as the same with an Executor by the Law of England) & isto modo vivens non potest habere hæredem. 2^{do} Sumitur strictè, &c. & impropriè pro filio vel nepote, vel alio descendente qui teneat primum locum in suite & isto modo vivens potest habere hæredem; sicut enim filius VIVENTE patre dicitur DOMINUS bonorum paternorum licet impropriè; ita potest dici HÆRES prout istud verbum sumitur pro Domino. He had before spoke of the General Rule, *That Hæres suus dicitur quem nemo præcedit*, and he there mentions what likewise all the Books agree in, *That Hæredes sui & necessarii dicuntur liberi qui in familiâ proximum à patre gradum obtinent: sui, quia hæreditatem tanquam suam, necessarii quia jure antiquo retinere cogeantur*. He intends there (I suppose) by the *jus antiquum* that Law of the 12 *Tables*, viz. *Intestatorum hæredes primò suorum hæredum, velint nolintve, sunt*.*

We find in the New Testament such *Heir* judged to be *Lord of all*, Gal. 4. 1. And thus *Grotius* on that place in the *Hebrews*, whom he hath appointed *Heir of all things* saith, That by *Heir* is meant *Lord*, Nam & *Latinis Hæres idem quod herus*. *Christus in cælum erectus, rerum omnium est Dominus; à patre scilicet hoc jure accepto*. The very *Institutes* likewise tell us §. ult. *De hæred. qualit.* That *pro hærede gerere, est pro Domino gerere: veteres enim hæredes pro Dominis appellabant*. And such *Lords of all* then were the *Heirs*, that tho ordinarily they could not have their *Legitima pars* in their *Fathers* life-time (and so we find it but in the *Parable* in *St. Luke* that the *Prodigal Son* said, *Father give me the Portion of Goods that falleth to me, and be divided unto them his Living*) yet if the *Father* were *re verà* a *Prodigal*, the *Son* might by imploring the Office of the *Judge* obtain in the *Fathers* life-time somewhat like the *legitima* to be allowed for his subsistence. And moreover *Grotius* on the other place of Scripture, *Si autem filii & hæredes*, saith, *Sententia est conveniens non tantum Israelitico Numerorum 28. sed etiam Gentium juri. Nam lex quædam tacita liberis hæreditatem parentum addicit. L. Cum initio. ff. De bonis damnatorum. Sed magis est ut jus Hebræum respexerit Paulus, ideòque τέχνα hic sunt υιοὶ filii, non quod non utrique sexui Christianorum aptari possint quæ dicit, sed quod jure Moysis filii necessario hæredes, filiae non nisi filiis deficientibus*.

None need therefore wonder at *De Castro's* having pronounced the *Heir* to be the same thing with *Dominus*, and at his leaving it out of doubt that direct Descendants are a mans *Heirs* in his life-time, because they are such as are called *Heirs* at *Law*. And there is little room for doubting here in *England* who are *Heirs* at *Law* to private Persons, for *Sir Edward Coke* hath to this purpose said that throughout his time, viz. *Ne duas quidem quæstiones adverti de jure hæreditatum*: but God be thanked there can be no room for any in the *Case of the Crown*.

King James when he Erected the Monument for his *Mother* on the Northside of her Grand-father *Harry* the 7th's Tomb, and put these words in the Inscription, viz. *Coronæ Angliæ dum vixit certæ & indubitatæ hæredis*, necessarily implied that there was another Sovereign living while She was thus *Heir* to the Crown.

Let any one consider how many real *Solecisms* *Sir W. J's.* imagined one must occasion. Is it not a *Solecism* to say, I cannot now promise a future lawful thing, viz. *Allegiance* to the *King's Heirs* at the time of the Descent of the Crown, since nothing can be promised but what is *Future*? In the Eoly of the *Civil Law* matters of right are sometimes founded on trite Philosophical *Axioms* and such as *Non entis, nulla sunt accidentia*: but it were a *Solecism* to deny, that the Takers of these *Oaths* have become bound at that time to the *Hæredes viventis*, who were then *non-dum vivi*, or that a *Lessee* is bound at the perfecting of his *Lease* to pay his Rent to the *Heirs* of the *Lessor* tho then not in nature. If the *Style* of the *King of the Romans*, can in an *Elective* Government, and during the *Emperors* life be, *Ego N. Rex Romanorum futurus Imperator*, is not the next *Heir* of the Crown in an *Hereditary* Monarchy to be styled the certain and undoubted *Heir of the Crown as long as he lives*?

I find not the term of *apparent* joyned to *Heir* in any *Books of Law* or *History* but of our Country: but God making *Heirs*, and especially the *Heirs of Crowns*, the inherent Birth-right by Proximity of Blood is the *id ipsum* to be regarded: and if *Hæres viventis QUATENUS* such must be a *Solecism* according to *Sir W. J's.* insinuation, then the Quotation usually

usually brought out of Sir E. Coke by Writers of this Subject, That the Heir apparent is Heir before the death of his Ancestor, must be a Solecism too, according to the known Rule in Logick of *A quatenus ad omne*, &c.

I shall studiously avoid the embarrassing the Question with needless Points of Law: and do consider, that if in Courts of Law we are above the *Apices verborum*, we are much more above them in the Court of Conscience. And here I must say it, that if in the interpretation of Princes favours and Concessions we are allowed to go by the Rule that in them *Exuberantior fides requiritur*, and that therefore *promissio in dignitate Regali facta, æquipollet juramento*, and that a Sovereign Prince appealed to about the Rights of Subjects is Morally bound to proceed therein *Ut DEUS qui soli veritati innititur*, and according to the Style of the Judges delegated by Sovereign Princes, *Solâ rei veritate inspectâ*, and throwing off the Formal Rules and Solemnities even of positive Laws themselves: it may be well inferred that the Divine Law of Nature obliging us to Gratitude, we are Morally bound in the preservations of the Lives and Rights of Princes (tho we had not been sworn to them, yet) to regard them as God, and not to obscure their Rights with Formalities and subtilties of Law, and much less with tricks of words, but especially in the interpretation of our Oaths to them to use the greatest simplicity therein that is suitable to the Law of Nations, Nature and Christianity, and to abhor what the Lawyers call a *Subdola juris interpretatio*, and what may be called, as the expression is in Job, a darkening of Council by words without knowledge, and a gloss that corrupts the Text, and is directly contrary to the Right of Kings and Princes; for the securing of which and removing all doubts or *Prise* about the same these Oaths were made.

And should any one tell me of the effect of that saying *Nemo est hæres viventis* in our Common-Law, and that Land being given to A. for life and the remainder to the Heirs of B. and that A. dying while B. lives who hath at that time a Son, that Son shall never have the Land because of *Non est hæres viventis*, but it shall go back to the Donor if alive, or if dead to his Heirs, I will ask him if the Donor should be bound in Justice and Equity by a certain future time to Lett the Heirs of B. have the Land, and had voluntarily sworn that B's Heirs should then have the same, whether the Donor then could with a *Salvo* to Conscience keep the Son or other Heir from the same by Virtue of the *Non est hæres viventis*? But we are to be tender how we compare the Inheritances of private Persons with that of the Crown, which is of a higher Nature, and without a Metaphor differs from them *Toto Cælo*, and is so much above them. And how regardless were they then of the Birth-right of the oldest Monarchy in the World, and particularly of the present Glorious Royal Line, that would not allow it the Privilege of being plainly understood as they do to private Inheritances, and as to which William the Conqueror in that part of his Charter to London is allowed to speak intelligibly enough, viz. *And I wyll that ich Child be his Faders Eyer.*

But I am weary of this Wild-goose chase of the *Hæres viventis* among old Books: and my pointing back any one to my 3d and 5th Conclusions may save my labour of speaking here much more of it. It is sufficiently set forth in the third, in what sense the words of Oaths are to be taken, and where I mentioned Ames saying, That they are regularly to be taken in that sense that the words have in the COMMON use of men. And to this purpose we are well told by Vaughan in Shephard and Gosnald's Case, That were the penning of a Statute is dubious, long usage is a iust Medium to expound

pound it by : for *jus & norma loquendi* is governed by usage, and the meaning of things spoke or writ must be as it hath constantly been received to be by common acceptation. But I have shewed the word *Heir* to be no doubtful word : and as I have mentioned it to be a word that the Glory and Power of our *Saviour* is expressed by, I may add that our Noble Privilege as we are *Christians* being so often represented in Scripture by the word *Heirs*, &c. we are *Morally* bound to guard the word from the Assault of any new interpretation that would outrage it with *doubt* and ambiguity.

I have shewed that as our *Oath* is part of a *Statute-Law*, if there could be any *doubt* of it, the *Judges* are to interpret it : and our *Ancestors* were so far from trusting private men to interpret Statutes, that they have not allowed the Court Christian judicially interpret the very *Statutes* that concern the things there conusable. And as some *Papists* do vainly sometime tell us, That we by our *Religion* damn all our *Popish Ancestors*, it may here with truth be said, that any by finding out a new sense of the word *Heirs* do condemn the understandings of those and their *Morals* in not observing the *Oath* by the measures of that interpretation ; and I may as truly say, that we venture on damning our selves by *Perjury*, if while we venture on a new sense of the *Oaths* both contrary to the common sense of the words and of the *Imposer*, we do not particularly take the *Oaths* with our *Protestation* of that new sense, and much more if reserving that new sense in our minds we shall further in one of these *Oaths*, viz. That of *Allegiance* declare, That we have sworn every thing therein according to the *PLAIN* and *COMMON* sense and *UNDERSTANDING* of the same words without *ANY* *Equivocation*, or *Mental Evasion*, or *secret Reservation* whatsoever.

It is a certain *Rule* about *Oaths*, That *Juramentum non extenditur ad ea de quibus cogitatum non est* : and so is this other, viz. *Non licet nobis interpretatione tacitâ comminisci conditiones, nisi quæ vel publico jure receptæ sunt, vel ex re ipsâ, aut verbis quibusdam manifestè colliguntur* : and I may add another, That *Minimè mutanda sunt quæ interpretationem certam semper habuerunt*. But as it hath appeared to all a superfluous thing ever to have the *Judges* consulted about any being *Heirs* to the *King* in his life-time, and wherein there is no *Dignus vindice nodus*, so likewise tho *Contra captiones ex actu ambiguo nascentes, remedio est protestatio, quæ declaratione intentionis actum madificatur, usq; in posterum competens conservat*, yet no man was ever found so ridiculous as to make any *Protestation* at the time of his taking these *Oaths* concerning this new sense of the word *Heirs* : and what is a greater reflection on our *Excluders* as to their Non-observance of the *Promissory* Clause relating to the *King's Heirs*, is that the *Excluders* were embarqued in their *Exclusion*, and half-Sea over in their prosecution of it, and had thrown away their *Compass* of the common sense of the *Oaths*, before the new one of *Hæres viventis* was found or heard of, an *interpretation* that I believe the very *Author* of the *Sheriffs Case* would have held scandalous, and which indeed amounts not to so much as a *Scruple* of *Conscience*, or to more than a *Quirk* of *Law*. It hath long been the Custom of *Spain* not to make any men *Judges* who have been *Advocates*, as supposing that their straining the *Law* as *Practitioners* for their *Clients*, might make them the less *Candid* in their Judgment of the *Law* on the *Tribunal* : but the truth is, the giving Judgment in the *Court* of *Conscience*, that this new-found interpretation of the word *Heirs* would in that *Court* indemnify the Ta-

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kers of the Oaths, may well seem unworthy of the dignity of any Judge or Counsellor or conscientious Attorney, and any one of those whom the old Comedian calls the *Leguleiorum fæces decemdrachmaræ*, not wholly steer'd by Trick.

As great a Judge in that Court as ever our Nation, or perhaps Christendom bred, I mean our Bishop Sanderson, having in his 2d Lecture of Oaths said, *That we become guilty of the heinous Crime of Perjury, if a milder interpretation of an Oath chance to deceive us*, doth well mind us of the profitable Rule which in doubtful matters commands the choice of the safer part. And thus the Casuists generally giving us that Rule, that in all doubtful matters we are to incline to the safer side, and that therein 'tis safer to think a thing to be Sin than not, and in order to the great EXCLUSION of Perjury telling us, *That Cum de ancipiti perjurio in futurum quæritur, illa est benignior sententia quæ Conscientiæ tutior, atque ita quæ crimen interpretatur ut excludat*, and that when ever we recede from the literal sense of an Oath to the intention of the Law-giver, we ought to be very sure of that intention, if we will be safe from the danger of Perjury, I think that new interpretation so clearly contrary both to the literal sense of the Oath and the intention of the Law-giver (as I have shewn) was a very unsafe trick for men to put upon their Consciences.

But as the word Heir is a plain word, so it is likewise as plain, that some men by the *Hæres viventis* would put a Trick on the State: for let any one go to dissect all the meaning that can be in the *Hæres viventis* in plain English, and it will be neither better nor worse than to make the sense of the Imposer of the Oaths be, that men should observe the Promissory Clauses relating to the King's Heirs and Successors only on the terms of the Objection of *Rebus sic Stantibus*, which I have before mentioned and fully answered.

Nor can any men evade their being by the Oaths obliged to defend the Rights of the Hereditary Monarchy, and thus prop up such their new interpretation of Heirs by Virtue of the expired Statute of the 13th of Elizabeth (which some have raised such dust with) that made it Treason to affirm, *That the Laws and Statutes do not bind the Right of the Crown and its Descent, Limitation, Inheritance, or Governance*. It is not an expired Statute, nor any one in being can make the Obligation of our Oaths to the King's Heirs and Successors to expire. We were in Conscience, and by the Law (which is by some termed *Communis sponsio Regni*) obliged before our Oaths taken to defend the Rights of the King's Heirs and Successors in all just ways: but if any men should be so vain as to think that we were not before obliged to them on the account of the Hereditary Monarchy, yet it is most certain that an Oath doth often induce an Obligation where there was none before: and we are not now considering what WAS Treason, but what IS Perjury. An Act of Parliament may inflict the *Ultimum supplicium*, on that which perhaps is not *Malum in se*, as for example, *The Exportation of Wooll*, tho when we have a glut of it; nay, by the 28th of Harry the 8th, c. 7. touching the Succession of the Crown, the not taking of the contrary Oaths is made Treason. But I need not here say more than that if any in the 13th Year of Queen Elizabeth had took the Oath of Supremacy enjoyned in the first Year of her Reign, and did not observe the Promissory Clause therein, they did offend God and their Consciences thereby. But I have mentioned it that Arch-Bishop Hutton notwithstanding that 13th of Elizabeth

made it a *Præmunire* to speak of any Person being her Heir and Successor, except the same were the natural Issue of her Body, did publickly in his Sermon before her, discharge that Promissory part of the Oath by asserting King James his Right to succeed her, and was publickly by her thanked for it.

On the whole matter, we are not bound by these Oaths to look backward on other mens actings, but to look forward on our own. Enough has been said of too much that was done to oppose King James's Succession, and of the necessity of the Oath of Allegiance to secure England to the Royal Line and by it: and the providing of the *fortius vinculum* on the emergency of the Gun-powder Treason, was but futable to the general prudence of all States: and the expression of Allegiance to be paid to the King's Heirs and Successors, when Kings and Queens of this Realm, which was in some former Oaths, was not in this necessary, nor yet in the Oath of Supremacy, because of the great Fundamental Clause in both before mentioned, viz. *The King IS the only Supreme Governor, &c. he IS ONLY Supreme*, and so none co-ordinate, or equal to him; *our Sovereign Lord the King, IS lawful and rightful King, &c.* and so the word *IS* must necessarily hinder any Heirs or Successors forestalling the Market if they should presume before their time to come for our actual Allegiance, however sworn to them to be paid in future time.

Our Law-Book of Oaths mentions a long Promissory Oath made voluntarily to Harry the 6th, by 2 Arch-Bishops, 16 Bishops, 3 Dukes, 5 Earls, 2 Viscounts, 14 Abbots, 2 Priors, and 7 Barons, and but part of which I shall here set down, viz. *I A. B. knowledge you most High and Mighty and most Christian Prince King Henry 6. to be my most redoubted, and rightwise by Succession born to Reign upon me, and all your Liege People, whereupon I voluntarily without Coercion, promise and oblige me by the faith and truth that I owe to God, and by the faith, truth and ligeance that I owe to you my most redoubted Sovereign Lord, that I shall be without any variance, true, faithful, humble, and obeysant Subject and Liege man, to you my most redoubted Sovereign Lord, &c. and swear to endeavour to do all that may be to the weal and surety of your most Royal Person, &c. to the weal, surety, and preserving of the Person and benign Princess, Margaret Queen, my Sovereign Lady, and of her High most Noble Estate, She being your Wife and also the weal, surety, and honour of the Person of the right High and Mighty Prince Edward, my right redoubted Lord the Prince your first begotten Son, and of the Right High and Noble Estate, and faithfully, truly, and obeysantly, &c. First, my Allegiance to you my most redoubted Sovereign Lord, during your life, &c. and if God of his infinite Power take you from this Transitory Life, me bearing life in this World, that I shall then take and accept my said redoubted Lord, the Prince Edward your said first born Son for my Sovereign Lord, and bear my true Faith and Ligeance to him, as by nature born for my Sovereign Lord, and after him to his Succession of his Body lawfully begotten, &c. and in default of his Succession, &c. unto any other Succession of your Body lawfully coming.*

But the wisdom of any Nation making Laws (and especially about Oaths) as short as may be, I account that those of Supremacy and Allegiance have much better that *Multi-loquious* one (as I may call it) provided for the security of our Allegiance to the King Regnant, and afterward to his Heirs and Successors, by plain and liquid words as far as Humane Prudence could provide for the same. And because what is made by Humane Art is in danger of being by Humane Art eluded, and for that

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we see that *Nature* it self hath been made a *Term of Art* (a word that *St. Paul* thought plain enough when he said *doth not Nature teach us that*, &c. yet of which word a late *Lawyer* and *Kinsman* of the Great *Grotius* hath in his Book, *De Principiis juris Naturalis* told us of seven significations) and for that it is as easie for a captious versatil Wit to turn the word *Heir* or most words into as many or more, the *Oath of Allegiance* was further with deep precaution made to exterminate all cavilling senses and calumnious interpretations, and such as that of the *hæres viventis*, by that *Final Clause* which *Crowns* that *Oath*, and that which alone as I partly hinted before amounts to an *Oath*, viz. *And I do make this Recognition and Acknowledgment heartily, willingly and truly upon THE TRUE FAITH OF A CHRISTIAN*, and after which it follows, *So help me God*. That the *Faith* of a *Christian* alone amounts to an *Oath*, I shall cite the opinion of *Tuldenus* the *Regius Professor* of *Law* at *Lovain*, when writing *De interpretatione Juramenti*, he saith, *Affirmatio per fidem tunc demum jusjurandum est, cum additum fuit Christianam*. *Alciat. in l. 41. c. De transact.*

I conclude therefore that what *Christian* soever hath taken this *Oath*, hath by *Virtue* of the words of *The faith of a Christian* obliged himself thereby as much as if he had said, *That Great Privilege of Birth-right belonging to the King's Heirs, a Privilege so great that the despising of it, as in the Case of Esau is applied in Scripture to mens prophaneness in despising their Inheritance of Bliss by Christianity, I do as sincerely promise to defend according to my Oath, and without any Fraud or Mental Reservation or the least cavilling, capricious or calumnious interpretation, as I value the great Privilege that Christianity hath ennobled Humane Nature with in being Heirs of God and joynt Heirs with Christ as St. Pauls words are, and of being Heirs according to the Promise; and may all the Divine Promises be so Yea and Amen to me, and interpreted with not only a plain but a full and fair interpretation, and so likewise the very Oath of God, mentioned in the Epistle to the Hebrews, As I do plainly, and fully, and fairly, and with the exuberant honesty and simplicity enjoynd by the Christian Religion, and so much transcending the Bona fides of the Heathen Morality, perform my Promissory Oath of Allegiance to the King and his Heirs and Successors.*

I shall in the last place take notice of what I have not without horror observed, namely, that some disloyal Authors have presumed in *Print* to pretend the lawfulness of *Exclusion* of *Heirs* and *Successors* on the account of their *Religion*, by colour of the punishment of *Idolaters* according to the *Judicial Law*: and as to which it will be sufficient here to say, that that *Law* was given only to the *Jewish Nation*, and that it did never bind any else or doth, and that the *Divine Law* natural and positive bind us to the *Observation* of our *Oaths*, and that *Christianity* doth not found *Dominion* in *Grace*, and that the *Patriarchs*, and *Josbua*, and the *Princes* of the *People of Israel* made *Leagues* with *Idolaters*, and on both sides there was mutual *Faith* confirmed with solemn *Oaths*, and that an *Oath* Promissory to pay *Allegiance* to the *Heirs* of the *Crown* at the time of its *Descent* is much more lawful.

And I might urge that the *Jewish Kings* tho often idolatrous, yet as the *Lord's Anointed* had *De jure & de facto* *Obedience* payed them without respect to their *Religion*, or *Irreligion*.

And by *Virtue* of the *Moral Offices* of *honouring all men*, and of the *Internal Communion due from all Christians to all Christians*, I shall without offending the *Church* I hold *External Communion* with, venture to go as far in my *Measures* of *Charity* as some of its great *Ornaments*,

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Dr. *Hammond* and Bishop *Taylor* and likewise Bishop *Gunning* have done in freeing many *Roman* Catholicks from the guilt of Formal *Idolatry*. Innumerable Acts of *Idolatry* may be charged on many Persons of that Communion, and particularly on all such as do worship the *Cross* or *Saints* and *Angels Cultu latriæ*, and on such as in the *Eucharist* determine the thoughts of their worship to the *Consecrated Bread*. But I believe there are others who do not intentionally direct their adoration to any Creature in that Sacrament, and only to the Person of *Christ* our Lord: and as when *Abimelech* mistook *Sara* from her Husband, being informed by *Abraham* that *She* was his *Sister*, God was pleased to acknowledge, That he did it in the simplicity of his heart, so I shall leave such to their Master, and without particular ground charge no particular Person of them with the guilt of Formal *Idolatry*: and should much rather choose to absolve a Church from approving *Idolatry* than to render the Persons in it liable as *Idolaters*, to be in a *Christian* State dealt with according to the rigor (or as some *Calvinists* call it) the *Equity* of the *Jewish Law*.

As we justly remember the Bigottish Cruelty of the *Marian* days, so we must be so just to our selves as not to forget how some *Nominal* Protestants (and such too as were *magni nominis*) did long ago (and as they do still) accuse the Discipline of the Church of *England*, and its decent Ceremonies with the guilt of *Idolatry*: and how fatal both to our Church and State so false and base and spiteful an Accusation hath proved. Mr. *Hobs* in his History of our late *Civil Wars* attributes somewhat of the success of the disloyal Enemies of our Church to the natural Cause of their fighting with spite.

We know that not only Mr. *H. Jacob* in his *Exposition* of the 2d Commandment, printed in the Year 1610. hath thus charged our Church with *Idolatry* in expresse words, but that *Ames* himself did so in effect in his *Puritanismus Anglicanus* that Year printed: and as Learned and Pious a Man as he was, his *Cases of Conscience* shewing him tainted with the Tenet of Monk *Gratian* and *Calvin* and our Assembly-men about the Judicial Law (for he saith there, That that Law tho not appertaining to Christians, Sub ratione legis specialiter obligantis, yet is to sub ratione doctrinæ, quatenus vel generali suâ naturâ vel proportionis æquitate exhibet semper nobis optimam juris naturalis determinationem) one might easily guess from such a Principle when believed and practised, what quarter the Church of *England*, or any Church accused of *Idolatry* could expect.

The truth is, that on the Division of the World by some into 30 parts and rendring 19 thereof to be down-right *Idolaters*, and 6 *Makumetans* and 5 *Christians*, it may well seem a deplorable absurdity that the *Christian Quota* should be so much addicted both to call one another *Idolaters*, and to Sacrifice one another as such, beyond the superstitious rage of the Heathen ἀνδρωποδυσία.

Mr. *Jacob* in his said *Exposition* calls the *Lutherans* *Idolaters* for having Images in their Churches: and what may well seem strange is, that when *Cromwel* the Usurper being inclined to tolerate the *Jews*, and appointing a Meeting of his Ministers of State and his Divines, to debate the lawfulness of it, at that time *Fiennes* his Lord-Keeper declared it then unlawful, for that the *Jews* were *Idolaters*, as worshipping God out of *Christ*, and whereby he implied in effect that *Adam* was an *Idolater*. Thus apt have Enthusiasts been to play with *Idolatry*: but a shameful thing it is to our *English* understandings, not to have a just general apprehension of the aim of some factious *Anti-Papists* to set up new real *Idolatry* in the State, while they

they are vexing us with their old *Nominal* Idolatry, in the Church; I here refer to all that would outrage the *Hereditary* Monarchy, and I call any Crime of that Nature by the name of *Idolatry*, as our judicious *Sanderson* hath done in his Learned Lecture, *De legum humanarum causa efficiente* §. 15. where having shewn how *Kings* are called *Gods*, *Psalm 82.6. Quod ipsius Dei in terris vices gerant, idque Deo ipsis Conferente hanc potestatem, non populi suffragiis, EGO dixi Dii estis*, he thus goes on to ask very properly, *Poteritne populus aliquis sine turpis idololatriæ crimine sibi Deos constituere, cum sit uniuscujusque hominis, ei qui ipsius vicem gerat, potestatem vicariam suâ autoritate demandare, non alieno arbitratu? Audébitne quisquam mortalium id Juris sibi arrogare ut qui Dei in terris Minister & Vice-Deus futurus sit, omnem illam suam autoritatem & potestatem ab ipso sibi collatam agnoscat?*

Let all such then who did *AUDERE* thus in the Affair of our *Hereditary* Monarchy, and to have the *Vice-Deus futurus* moulded by their fancies, consider how great a *Casuiſt* hath loaded them with *Idolatry*: and moreover remember how the inspired *Prophet* did make *Rebellion* as the *Sin of Witchcraft*, and contumacy or *Stubborness* as *Idolatry*.

I was contented with finding one thing asked by the ingenious *Author* of the *Compendium*, because I supposed, and that then even by *Calculation*, I might resolve the doubt (and which I have held my self obliged to do) viz. *Can it be said that the Monarchy of England hath gotten by the Reformation (and what desperate Enemies that hath created us may be easily imagined) that nothing but Popery, or at least its Principles can make it again emerge or lasting?* but was sorry and ashamed to find that *Authors* had cause to cite the disloyal Pamphlet of *Pereat Papa*, as asserting the lawfulness of proceeding against *Idolaters* as is there mentioned, and that he likewise had so much reason to make so great a Remark on the *Exclusion* in the foregoing Page: viz. *He who believes he can disinherit a lawful Successor on the account of Religion, will hardly find Arguments of force to keep the Prince in being on his Throne whenever this happens to be imputed to him.*

Moreover I was ashamed after the effort of the *Idolatry* in the *Exclusion*, and of the *Mobile's* worshipping a *Plot-Witness* with the name of *σὼν*, that the *Non-Conformist Author* of the Book called *The peaceable Design*, printed in the year 1675. speaking so tenderly of the *Papists* then in the words of, *The Papist in our account is but one sort of Recusants, and the conscientious and peaceable among them must be held in the same predicament with those among our selves that likewise refuse to come to Common-Prayer*, yet reprinting his Book in the year 1680. doth thus alter the former passage, and say, *The Papist is one whose worship to us is Idolatry, and we cannot therefore allow them the liberty of publick assembling themselves as others of the Separation.*

When the *Non-Conformists* had a while after the *Declaration of Indulgence* idolized both it and the *Papists* for being supposed to have had some hand in the procuring it, and were as soon weary of it as *Children* of their *Images*, yet it seems that presently after the noise of the *Popish Plot*, the *Non-Conformists* Censure of *Transubstantiation* was *transubstantiated*, and their Religion grew to be *Idolatry*: as if the ill actings or shams of either a few or many indigent or dissolute Persons ought to be turned on the whole *Body* of *Papists*, or especially on their Religion it self and their Religionary *Tenets*. But many of the *Non-Conformists* then being abandoned to sham the very Church of England and its *Disci-*

pline with Idolatry, and with a participating in the *PLOT* to bring in *POPERY*, according to what Arch-Bishop *Laud's* Star-Chamber *Speech* mentions as the *Style* of the *Libels* in those days, *That there were then great Plots in hand, and dangerous Plots to change the Religion established, and to bring in Romish Superstition*, the sagacious Loyal began to see that they made but a *Stalking-horse* of the *Plot* of the *Church* of *Rome* to shoot at the *Hereditary* Monarchy, and by outcries against the *Church* of *Rome* to bring in a *Roman* Republick, and to make themselves the *Idols* of the *People* in a popular *State*, while they complained of the *Idolatries* of *Churches*.

But there remains somewhat else to be said as to this point of calling, or thinking every particular *Papist* an *Idolater*, and that is what I shall further urge out of the great *Speech* aforesaid of the Arch-Bishop of *Bourges*, who knew well enough that *Papists* had in their *Writings* frequently called Hereticks *Idolaters* (and as accordingly the *Author* of a *Popish Pamphlet* printed in *London* in the *Tear* 1663, Entituled *Miracles not ceased*, hath done, and where his words are, *The Protestant Religion is a Cheat and Heathenism, the Protestant Bishops are Cheaters and Priests of Baal, the Protestant Religion is ridiculous and idolatrous*) yet this Arch-Bishop in that *Speech* having (as I said) cleared his *Prince* tho a *Protestant* from the guilt of *Heresy* and *Pertinacy*, doth likewise there particularly say, *he is no Idolater*, and where he likewise hath with great judgment and loyalty taught us, that as to those *Constitutions* in the *Civil Law* whereby *Manichees* and *Arrians* are excluded from *Magistracy* and publick *Office*, *It was to be understood to be only in the Case of Inferiour Magistrates and not of Sovereign Princes, who cannot be disinherited of their Rights without the destruction of the whole Government and People: and to decree any thing of whom did only belong to the Jurisdiction of God Almighty.*

There is another thing that inclines me to think my self *Morally* bound not to call all *Papists* *Idolaters*, and to wipe off the stain of *Idolatry* from the *Church* of *Rome* as much as any of the *Fathers* of our *Church* have done, and that is the *Conversion* of *England* from *Heathenish Idolatry*, that *Gregory the Great* was *God's* Great *Instrument* in many hundred of years ago.

HAVING thus *Finished* my *Casuistical* Discussion, I shall be glad if the *Result* thereof may by the *Blessing* of *God* (*whose both the Deceived and the Deceiver are*, according to the words of *Job* 12. 16.) be in all such *Protestants* who have been *deceived* into a belief and practice of the *Irreligious* *Tenet* of *Popery*, viz. *Of Dominion being founded in Grace*, a more exuberant *Compassion* to all *Loyal* *Papists* who have not believed and practised that *Tenet*, and may have erred in *Popish* *Tenets* *Religious*. 'Tis both visible and palpable that such *Excluders* and *Nominal* *Protestants* while they accused *Papists* of being deluded into a *Plot* to destroy the *King*, were themselves deluded into a *Practice* that would *ipso facto* have destroyed the *Hereditary* Monarchy. 'Tis most plain that by being so *deceived* they have given occasion to *Papists* to reproach *Protestants* by saying to this effect, *You see how vain your attempts are to leave Popery and its Tenets: and as he who would by running or riding or sailing to any remote places, imagine to be able to get from being under the Covering of the Heavens, would give any one occasion to upbraid his vanity, by telling him he could*

not

not do it, for that the further he went from being under one part of the Heavens, he would but Compass the being nearer to another part thereof; so while you would get from being under the Predominance of one part of Popery, you obtain but to be the nearer to another part of it: You have run from the belief of Purgatory to the Tenet of founding dominion in Grace; and there being no steady hand among you to hold the balance, that Tenet practised by you would instead of a Purgatory hereafter, make a present Hell upon Earth. You are got from the Council of Trent, and yet the odiosa materia in the very Council of Lateran, which you charge upon us as a general one, is approved, believed and practised by you: And you would Exterminate the King's Heirs and Successors as Heterodox in Religion; and have in effect absolved yourselves from your Oaths Promissory in their behalfs. Thus therefore doth the Universality of our Catholick and Heavenly Religion seem to be naturally made like that of the Heavens, from which there is no escaping. Thou who abhorrest Idols dost thou commit Sacrilege, and abhor the Sacredness of the Regal Power, and of thy own Oaths? And thou who abhorrest Superstition in things, wilt thou idolize words, and imagine there can be Sacredness in letters? Doth not every one know that even *literæ significantes Sacras sententias non significant eas in quantum sacræ sunt, sed in quantum sunt res; ergo literæ non sunt Sacræ?* Doth not the very word Sacred likewise signifie accursed? Can therefore the name of true Protestant Legitimate a Calumnious interpretation of Oaths, more than the name of the Society of Jesus Legitimate the Doctrine of Calumny, or more than the word Catholick Monopolized formerly by the Donatists and Arrians, could justifie or Sanctifie their Tenets? Will your name of Reformation weigh any thing, if while you are come out from among the Religionary Tenets of our Church, you remain in the Babel of the Irreligionary ones, approved by some of our Popes and Doctors and Schoolmen; and which we grant, that if believed and practised would bring every Kingdom to confusion, and not only into a diversity of Languages, but into an alteration of the Hereditary Government, and Transubstantiate even that? If you are angry with us for mistaking Saint Peter's Successors (as you think) will you not be angry with yourselves for mistaking the Successors of your Kings, so easily to be known? Since you may think him a wise Child who knoweth his true Spiritual Father, as well as his true Natural one; will you reproach our understandings for not knowing that true Spiritual one, and what is the true Church, when you seem thus not to know your true Political Father, or who is to be in the course of the descent the true King? Will not you pity us for our Implicit Faith in the Guides of the Church, in things wherein we cannot hurt you, when yourselves do by Implicit Faith follow the Demagogues in the State in matters that would destroy us all? When Brutus after he had given the blow to Cæsar, found cause to exclaim of Vertues being an empty Name; will not you after you have thrown off the Papal Power of Excluding Kings make your Reformation an empty Name, if you at last reform yourselves into Popery, and after all your imagined Conversions from Popery, we shall see your natural Conversion to it, and as Natural as the Common Hieroglyphick of the year shews us, and how in *sele volvitur annus?*

The truth is, that as to the Case of many of our Nominal Protestants, and some real ones, being thus deceived as aforesaid in the business of the Exclusion, there lyes a *Pudet hæc opprobria nobis, &c.* and a worse opprobrium than that of another common Latine saying, *Stulti dum vitant vitia, &c.* for here they have run but from Popery

to

to Popery, from a Popery more genteely clad to a *second-hand* Popery, and even into a *frillery* of Antimonarchical notions; and they have run into the Substance of the worst part of Popery, and what I account worse then *Transubstantiation*, while they have been pursuing the *magni nominis umbria*, I mean the shadow of the Great Name of Protestant. And I will still call it a great and noble name, however abused by *Schismatics*, and tho not used in our *Canons* and *Articles*, &c. and wherein we soar above the *dictates* of *Luther* and *Calvin*, and the *distinctions* of Names they occasioned; and for which purpose our great-Souled *Bramhall* in the title page of his *Just Vindication of the Church of England*, hath the quotation of *My Name is Christian, my Sirname is Catholic, by the one I am known from Infidels, by the other from Hereticks and Schismatics*; but yet doth often in that Book and his other writings use the word *Protestants*, for such who have laudably opposed the *Papal* *Ufurpations* and *Impositions*. And in the mentioning of the *Protestant Churches* beyond *Sea*, that word is justly and properly applicable. Moreover our Great *Chillingworth's* writing of, *The Religion of Protestants a safe way to Salvation*, hath endear'd that Name as well as his own to us thereby. The adherents likewise to the *Church of England* are often put to it to use the distinction of *Protestant Recusants*, to speak Intelligibly. But 'tis the *Church of England-Protestant* that the *Orthodox* and *Loyal* generally mean by that name, when they speak of *Protestants* alone here, according to the *Rule of analogum per se positum*, &c. It is for the honour of these *Protestants* who have not so learn'd *Christ and Christianity* as to be untaught their *unnatural* Allegiance and natural obligation of their *Oaths*, that it may be observed of them, that tho many within the pale of that *Church*, have been tempted a while to extravagant thoughts and actings in the point of *Exclusion*, yet they have through the Divine influences on their understandings soon come to themselves again; and tho the Loyalty of some of these like *Steel* hath been bent, yet it hath not like *lead* stood and continued bent: And notwithstanding that being Transported a while with the Passion of Anger against *Papists* and *Plots*, they said in their haste, that *Dominion* was founded in *Grace*, I observ'd so many of them by their *second* thoughts so averse from the *second-hand* Popery (as I call'd it) that they might merit an exemption from being censured by *Papists* as aforesaid; and that by virtue of the *Rule of Law*, viz. *Quidquid calore iracundiæ vel fit vel dicitur, non prius ratum est quam si perseverantiâ apparuit iudicium animi fuisse; ideoque brevi reversa uxor, nec divertisse videtur.*

And here I am likewise to observe that tho many who have been members of the *Church of England*, because it was by *Law Established*, and have for fashion-sake gone to our *Common-Prayer* with no more concernment than the *Monk* went to *Mass* who said *Eamus ad communem errorem*, yet such of this *Church* whose Devotion hath been deep rooted in their heads and hearts, and who have seriously thought of those words in the *Collect*, viz. *So rule the Heart of THY Chosen Servant Charles our King and Governor*, &c. did not long say *Amen*, to any mens thoughts or motions of *Choosing* their *King*.

Let *Rome* and the *Conventicles* thus like *lead* stand bent (as I said) but the Doctrine of the *Church of England* and its *Prayers* have sufficiently told us whose *chosen Servant* our *King* is. I have here occasion to refer to an Illustrious Son of this *Church*, and whose whole life hath been as perfect a *Comment* on the *Oath* and *Moral Offices* of *Allegiance* and of
absolute

absolute and unconditional Loyalty as any could be, and more useful to the World than any Written one, I mean the Duke of Ormond, and therefore it is but Justice to him and the Subject I have been treating of for me here to cite him in what was published by the Loyal and Learned Father Walsh, in Answer to what was by the Nuntio's Party pretended as a Scandal, namely, That one of a different Religion from those Irish Papists should be MADE CHOICE OF to Govern them: and that that Party did fear the Scourges of War and Plague to have justly fallen so heavy on them, and some Evidence of God's Anger against them for putting God's Cause and the Churches under such a hand, whereas the trust might have been managed in a Catholick hand under the Kings Authority, but to which the Answer was thus with great Loyalty and Judgment, viz. Now at length they are come plainly to shew the true ground of their Exception to us, which they have endeavoured all the while to disguise under the Personal Scandals they have endeavoured to cast upon us. They are afraid of Scandal at Rome for MAKING CHOICE as they call it (as if they might CHOOSE their Governor) of one of a different Religion. If this be allowed them, why they might not next pretend to the same fear of Scandal for having a King of a different Religion, and so the Power of CHOOSING one of their own Religion, we know not: and concludes with an Observation of that Party's having infamously practised the Doctrine of Calumny in relation to the then Queen.

And all Papists therefore owning the Disloyal Principles of that Party have thereby the *Pudet hæc opprobria, &c.* put on them. Nor can it be by any Impartial Relaters of News either told at Garb or published in Ascalon, that any Sons of the Church of England were actually misguided in thinking they might choose their future King, but it must likewise there be said, how the Fathers and Divines of that Church did in that Conjunction so universally, and with such an Impetus of Reason and Scripture propagate the Doctrine of Passive Obedience, and of the Loyalty that the 13th of the Romans, and our Oaths require, whereby the Popery of founding Dominion in Grace hath been so much Exterminated from that Church and the Realm, that the very sense and reason and humor of the People of England is bent against it, and is likely to be so more and more.

And it was natural for our Divines in this Conjunction thus to do, when so many factious counterfeit Protestants were by their outcries making Papists of them, and publishing infamous Pamphlets that expressly shook the Rights of the Hereditary Monarchy, and of the Church by Law Established, and with an intent to shake the same in that time when the Exclusion was designed; and as appeared particularly by the reprinting for that purpose the Pamphlet of the Rights of the Kingdom, and in which the Author did endeavour to prove the Peoples Right to choose their Bishops. The Clergy therefore seeing such Nominal Protestants by that real part of Popery of founding Dominion in Grace, thus bent on the ruine of Church and State, were concerned to bend all their forces of reason in premonishing People of their danger from that part of Popery.

Thus as when a Light-house is set up to warn Navigators of a Bank of Sand, if yet by the force of the Sea and Wind such Bank happens to be removed, the Light-house must be removed likewise, the same thing was accordingly done by the Justice and Prudence of our Divines giving us a notification of the Sands of Popery having shifted their place.

The late Experience that our Church had of its usage under the Great Usurper, and of his putting it out of his Protection as knowing the *born* and sworn Allegiance of its Church-men, and likewise its Doctrine must necessarily make them true Adherents to the *King's Heirs and Successors*, hath necessarily taught them that they cannot externally flourish under any Usurper whatsoever. They know that the Oath that Cromwel's Parliament Enacted to be taken by him was a *Canting Oath*, and to which he was sworn to the uttermost of his Power to uphold, and maintain the true reformed Protestant Christian Religion in the Purity thereof, as it is contained in the Holy Scriptures of the old and new Testament to the uttermost of his Power and his understanding. The Doctrine and Discipline of the Church of England was not to expect to be upheld and maintained by him, nor can it be upheld or maintained by any Usurper.

Dr. Gibbon the Author of the Theological SCHEME averred to me, that Mr. Nye and he attending a Committee of Parliament in the times of the Usurpation, Mr. Nye being desired by the Committee to give them a definition or description of a Minister of the Gospel, then answered, *A Minister of the Gospel is one sent forth by the State to preach the Gospel, receiving protection from them and maintenance under them, and all others restrained*; and we know that he and others then treated the Church of England in words and things like an *Ecclisia malignantium*; and how they were then RESTRAINED *ab Officio*, &c. and just as the Faction and Schism of many Nominal Protestants began about 41 to call our Divines Names, as I have observed, so lately the Popish Plot was made the Vehicle of the Poyson of some Mens Calumny, and neither Machiavel nor Jesuit did ever more stedfastly practise the *Divide & Impera*, than such men in that Conjunction did, that by weakening us with our Divisions they might at once destroy the Lineal Succession of our Hereditary Monarchs in the Realm, and the Succession of Bishops in the Church: and our Kings in their Coronation Oaths swearing to keep Peace and Agreement to the Holy Church, the Clergy and People, Factious and Schismatical Persons having broke their own Oaths of Allegiance and Supremacy may be said to have endeavoured to break the King's Oath, according to the old known form of the Indictment of some of our Judges for Bribery in which it was said, that our Kings being bound by their Oath to do Justice to their People, such Judges did *Violare Sacramentum Domini Regis*.

It hath pleased God by the fierce Zeal of several Non-Conformists for the Exclusion, to open the Eyes of many Conscientious and Loyal People among them, and to bring them thereby to the Bosom of the Holy Church of England; for they seeing such Doubts and Objections as some had raised against the Obligations of our Oaths, to be but Scruples, and that considerate, serious, and devout Persons of the Church of England had soon thrown the Scruples away, were naturally thereby induced to throw off other Scruples; and it was likewise but natural to them to think that their very Doubts and Objections for their having separated from the Church of England were but Scruples. And as to doubts, tho the Rule is, *Quod dubitas ne feceris*, yet not only Sanderfon but Ames hath told us, that Scruples are not to be regarded: for Ames in his Cases of Conscience l. 1. c. 16. viz. Of a scrupulous Conscience, having said, That a Scruple is a fear of the Mind about what one is to do which vexeth the Conscience, as a little Stone in ones shoe troubles the foot, he wisely concludes, *That Multi scrupuli cum non possint commodè tolli contrariâ ratione, deponi debent quasi violentiâ*

violentiâ quadam, dum excluduntur ab omni consultatione: and that, *Scrupulus est formido temeraria, & sine fundamento, atq; adeo non potest obligare*. He there mentions, *A man being said to be scrupulous in discussing his past Actions, or in ordering his future ones*: and I am confident that many of the Loyal late Non-Conformists when they consider their past Actions will now accord to say, that many of the clamorous pretences they were tempted to urge for *Liberty of Conscience*, ought to have been (as Ames's words are) *laid aside with violence*: and I do likewise believe that many of the Pious Members of the Church of England who while the *Formido temeraria* and *sine fundamento* carried them to incline to think it lawful to shake the Foundation of the Hereditary Monarchy, and the super-structures of their Oaths by new interpretations, do with a pious horror think of the poor Vapours pent in their Imaginations that made such Temporary Earthquakes in their Moral Offices of Loyalty, and might have made perpetual ones in the Kingdom.

And that because some of our English Princes long ago, whose Titles were cloudy, did *de facto* make use of the Legislative Power to render them clear to the People, for any to think that therefore the Monarchy was not then *de jure* and *jure Coronæ* Hereditary, and that therefore after the Liquid Oath of Allegiance made to statuminate the most clear Title of a Crown that can be supposed, it could since be lawful for any Parliamentary Power to disturb the Succession and dispense with our Oaths, can appear to the Considerate to be nothing but a *Scruple* unworthy their thoughts. And moreover because some of our Princes heretofore desired their Parliaments to intermeddle in settling the Succession, for any therefore after the Oaths to think it might be lawful to disturb their Prince with renewed importunities again and again to alter the Course of the Descent after his various Declarations of his Mind that he would never consent to any such thing, must necessarily appear to the considerate, a *Scruple* fit to be thrown off. Much more then must it appear to such to have been a vile *Scruple* to have fancied it lawful to pronounce men *Enemies to the Kingdom*, because they so loyally defended the Hereditary Monarchy according to their Oaths in that HOT Conjuncture, wherein the Air of mens fancies was so generally infected.

And as in any long Intervals of extreme hot or cold weather not to participate with the generality of mens bodies in some sensible effects of it, would argue somewhat of distemper in ones Constitution, so in the late heat of the Populace against Popery, it was inconsistent with the soundness of Loyalty not some way to partake of the effects of that heat, and as I have sometimes perhaps too much with many other Loyal Persons done. I remember to have read it somewhere in a Print full of Wit and Loyalty said with gayety of humour to this purpose, viz. *That while a whole Nation was drunk* (meaning I suppose intoxicated with the belief of Witnesses telling incredible things, and the Populace being thereupon drunk with Anger and Rage against the Persons of the Papists) *it was to little purpose for any one man to be sober*. The Notions that men, had of a Plot were very various. Some then were so far gone in Credulity as, like the Fool that Solomon saith, *believeth every word*, they were resolved to believe every thing the Witnesses had said or would say. The Loyal generally acquiesced in the Notification of it as published by the Government, and thereby discharged part of the Moral Obligations of the Oaths I have discoursed of, whereby they were to defend all the RIGHTS and Privileges

Privileges belonging to the King, his Heirs, &c. and one of those *Rights and Privileges* is what is allowed by the *Law of Nations* to all *Sovereign Princes*, namely, *To have faith given to their publick attestation of any Fact.* Yet Religion allowing men the use of the *judicium discretionis* about the sense and importance of the *Writ* divinely inspired, they modestly employed their *Discretion* in considering what by the *Dii nominales* was published, and if any thing therein seemed *above* their reason and not contrary to it, their faith rested therein. But the Loyal soon found that the *fears and jealousies* of *Popery* began more and more to turn into *fears and jealousies* relating to the *Witnesses Veracity*, and they could not without a profound horror and astonishment reflect on the *intoxication* of a gaeat Body of Men, believing some incarnate Devils in accusing one that had appeared to *Christendom*, as great a *Saint* of her *Sex* as the steady practice of all Moral Vertues glorifying a heavenly mind on Earth could render her, and who with such a Character must shine as a *Star* in the *History* of the Age.

That many of the *Popish* Clergy about that time vainly endeavoured to have their Religion *Paramount*, and had hopes to get their *Lands* again, none will think impossible who have since seen some of our *Schismatical Pastors* so infatuated as to think it practicable for them again to thrive by their old Religion-Trade. And that such particular Persons as were by the late Earl of *Clarendon* in his *Book* against *Cressy* printed in the Year 1673. remarked for the *petulant and unruly Spirit* that swayed too much among them, might continue in the year 1678. no wise man doubted: for the said *Earl* there said, *The wisest and soberest Catholics* of England did all they could to restrain that *petulant and unruly Spirit*.

Many sagacious Protestants who knew the irreligious Principles that the *Jesuits* Writings swarmed with, were apt to fear that there were then endeavours to have some of them practised by some ill men who were *Bigots*, or *Paupers*, and whom necessity might prompt to be mercenary in making disorders in the State. The *Judicious* and Learned Bishop *Morly* was observed then to have some *Notion* or *Idea* of a *Popish Plot*, peculiar to himself. And as then many had their various Conceptions of the noised Plot, so many loyal and serious thinking Persons supposing it to be very unreasonable and barbarous to involve the whole *Body* of a Religion in the guilt of some particular Persons, and on any pretence to bereave them of that freedom in the profession of their Religion, that both the Law of the Land and of God allowed them, did employ their thoughts and *fancies* for the reclaiming the Age from the humour of severity then shewed to the *Persons* of *Papists* in general.

The Earl of *Anglesey* one of his Majesties Great *Ministers* publickly moved him in the *hot* Conjuncture to release all *Papists* and even *Priests* out of *Prison*, who were not charged with any thing of a *Plot*. And the *Disloyalty* of many *Nominal* Protestants then appearing in their many published *Prints*, it seemed very horrid to all ingenious men that the lives and liberties of *Loyal* innocent *Papists* should be sacrificed to feed the humours or appetites of any *Beasts* of *Prey* in the *Ark* of the Protestant Church; I speak with *Allusion* to those thousands of harmless *Sheep* in *Noahs Ark* employed in feeding about 20 pair of *Carnivorous Beasts* there.

I thank God, that while I was a sharer With many of the Loyal, in the hatred of the Irreligionary *Principles* formerly maintained by the *Court of Rome*, and many of its Churchmen, and particularly of those of the *Jesuits* (which that Court hath lately disclaimed,) I have likewise shared with them in the Disclaiming of hatred or enmity to any mens *Persons*, whether *Jesuits*, or *Jesuited* Protestants; and I desire to live no longer than I shall with the most *perfect hatred* abhor the *Popery* of *founding Dominion in Grace*, and endeavour to perswade all *pretended* Protestants, (but real *half-Papists*) so to hate the same, but likewise with a *perfect Love* to love the *Persons* of their *Bretbren-Papists*. And it is with Justice to be by all men to our Popish fellow-Subjects acknowledged, that whatever *petulance* some of them were formerly guilty of, or of any ambitious design of making too great a Figure in the *internal* Government of the Nation, yet that the deportment of the generality of them hath of late appeared with such a face, not only of *Loyalty* but *Modesty*, and Complaisance with his *Majesties* measures in employing the hands and heads of *Protestants* of the Church of *England* in the Management of the great matters of State, as is necessarily attractive of our *Christian Love* and *Compassion*; and the rather for that we have seen at the same time many *Factionous Anti-Papists* to have made a greater *Figure* in the *internal* Government of the Kingdom, than ever any *Papists* did in the Reigns of King *James* and the *Royal Martyr*, and to have thereby given disturbance both to the *External* Government and the *Hereditary* Monarchy. I did observe for some *Considerable* time after the *Plot-epoche* somewhat of a becoming *Humanity* and *Gentleness* in many *Anti-Papists* relating to the *Persons* of the *Papists*, and likewise of the *Divines* of our Church, but was afterwards sufficiently sensible of their intolerable *rancour* and *animosities* against both, and of the infamous use and application they made of the *Jesuits Doctrine* of *Calumny*, and of the *Weapons* they borrowed from *Parsons* of the *Succession*, to promote the detestable *Exclusion*, and of their borrowing from *Athens* and old *Rome*, the *Thunderbolts* of their old *REPUBLICAN* *Curses*, viz. of *ENEMY*, &c. and throwing them at the most *Loyal* of our *Patriots*, and absurdly calling them *Enemies to the King and Kingdom*, because they asserted the *Rights* of the *Hereditary* Monarchy in opposing the *Exclusion*. By that kind of *Republican* *Curses* they gave us the omen of what they would have been at. And so *extravagant* was the use of that *anathema* in the late *Conjuncture*, that when one in a great *Assembly* moved against Sir G. F. (a Person that all the Loyal must own for his steadiness to the *Hereditary* Monarchy, and for his having first kindled that great Zeal for *Loyalty* which doth now like a *wall of Fire* defend our *Metropolis*, that he might be voted such an *Enemy* as aforesaid, a *Burgefs* for that City (as I was inform'd) did *Ridiculously* and *Presumptuously* move that he might be voted an *Enemy to Mankind*. But it was easie for such as had took *Gods* name in *vain*, so to take *Mankinds*.

I shall not degenerate from the *Moral* Offices of *Charity* to mens *Persons*, if I call the *Exclusion* that would have broke the *Balance* of the *Monarchy* that was the old *Balance* of the *World*, *enmity to Mankind*; but shall without my here calling any men names leave it to the soft voice of *God's Herald* called *Conscience* to suggest it that tho a man who was *deluded* a while by the error of the *Exclusion* that would have been so fatal to the *Realm*, might by reason of any good intentions so for a while ill guided, not deserve perhaps to be judged to be an *enemy to*

the King and Kingdom *formaliter*, yet that if after *Consideration* and all thoughts made about his *Sworn Allegiance*, he doth not *make a stand*, but shall at any time again endeavour the going over the *Rubicon* of the *Bloud Royal* in its *Line of Succession* stated by *God and Nature*, and the defending his *false-steps* beyond it, by *Association or Arms*: I say I shall leave it to *Conscience* to tell him or warn him by the *indeleble Characters* of natural right there so legibly Engraved, how much he will deserve the censure of such an *enemy* as hath been mentioned; and shall be glad he may be thereby to better effect warn'd then *Cæsar* was from his *Usurpation* by the great *Senatus Consultum*, which *Rivallius* in his *History of the Civil Law*, Printed in the year 1530. saith that he saw remaining Engraved on a *Marble Pillar* by the *River Rubicon*, viz. *Jussu mandatuve P. R. Commilito, armate quisquis es, Manipularisve, Centuriove, turmæve legionarie hic sistito, vexillumve finito, nec citra hunc amnem Rubiconem signa, ductum, commeatumve traducito. Si quis hujusce jussionis ergo adversus præcepta ierit fueritve, adjudicatus esto P. R. H. ac si contra patriam arma tulerit, penatesque è sacris penetralibus asportaverit. S. P. Q. R. Sanctio Plebisciti. S. ve C.* He likewise saith that *In Portu Arimini alterum est adhuc ejusdem sententiæ senatusconsultum*, and which appearing to be a Noble piece of *Curiosity*, and expressive of the same sense with the former, tho with some difference of words, I shall here entertain the *Reader* with, viz.

Imp. Mil. Tiro. armate quisquis es, hic sistito, vexillumve finito, arma deponito, nec citra hunc amnem Rubiconem, signa, arma, exercitumve traducito. Si quis ergo adversus præcepta ierit, feceritve, adjudicatus esto Hostis P. R. ac si contra patriam arma tulerit, sacrosve penates è penetralibus asportaverit. Sanctio plebisciti, senatusconsulti, ultra hos fines arma proferre liceat nemini.

Rivallius having cited these *Senatusconsulta*, saith that *Quibus senatusconsultis Cæsar fortassis territus cum è Galliâ rediens ad Rubiconem usque pervenisset & adversus Pompeium populumque Romanum bellum gesturus esset militibus dixisse fertur, et etiam nunc regredi possumus, quod si Ponticulum transferimus, omnia armis agenda erunt.* And thus let all members of the true *Church Militant* in these *Realms*, by what name or title soever known, who have been tempted to think the *Exclusion* lawful, thank Heaven that they have lived to repent of the same, and that *even now they may go back* from the sinfulness of such *thought*, and consider that if they had passed over this *Rubicon*, they were to expect beside the fate of their Involving their Country in *War*, the other *tremendous* one of being found *fighters against God*, to whom they were sworn.

I have little further to add but to acquaint the Judicious *READER*, that I desire if he findeth any thing here-said, that he may reasonably think to be not according to the *Theological* measures of the *Church of England*, or the *Political* ones of the *State*, or against the *moral Offices* of *Charity* toward the *Persons* of all men, or against the *Internal Communion* due from all *Christians* to all *Christians*, (tho I know of no such thing here said) it may by him be taken as *non dictum*. There is no keeping of *Passion* in number, weight and measure, and particularly of that of *Anger*. The Excellent *Bishop of Downe* that was, *Doctor Jeremy Taylor*, hath often told me, *That when he was to return an answer to a Friends Letter that had Anger in it, he never concern'd himself to return an answer to the angry part of it, because he*

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considered that the anger of his Friend was over before the Letters arrival. But against all the Irreligious Principles of the Jesuits, and particularly that of the *Founding Dominion in Grace*, I would crave aid from *Posterity* for the continuance of my Indignation in the known words of, *O me propè lassum, juvate Posteris*, but that the Pope hath saved me the labour; and so I hope those Principles in them are retiring to their Eternal rest, and I desire not to hinder their *εὐδαιμονία*. And that no pious *Roman Catholick* may labour under the weight of being Censured as one who is necessarily to believe and practice some Principles beforementioned out of the *L A T E R A N Council*: I have mentioned various things that may be of use to that effect, and perhaps more satisfactory than what hath by any of their Church been said, who have denied it to be a *General Council*. Such denial will not effectually do their work, since *Cardinal Perron* hath (as I said) shew'd it to be a *general one*: and his reputation for his profound Judgment and Learning being so great, and such that the late Learned *Lord Faulkland*, the *Secretary of State*, was wont to say, *That Baronius and Bellarmine were but fit to serve him as amanuenses, or by gathering for him the quotati ns out of Authors he had occasion to consult*) it would be in vain for any Learned writer of the Church of Rome, to think by his Authority to out-weigh that of *Perron* the Cardinal. But by my citing likewise that Cardinals not holding himself obliged to proceed in *France* according to the measures of that Council: I have shewed the vanity of mens Fears of any ill effect of it annoying us here, and as (I hope) I shall be able further to do in my remarks on the *Munster Treaty*; and that since all things with God are possible, we may conclude that tho neither *Jesuited Papists* or *Protestants* should ever recant any of their former Irreligious Principles, the voice of Nature may in effect do it for them, and render such Principles absolute, and as insignificant as the Stings of dead Animals.

Several Learned Prints published by Protestant Authors in this Fermentation have urged the Council of *Lateran* for Princes exterminating Hereticks, and every one knows that in the barbarous old times of Popery that Council did operate barbarously to that purpose; and 'tis possible that in a certain Country in the World I will not name, Hereticks (so called) have been treated partly after the Mode of that Council by some, with an intent to encrease our Divisions, and the ferment of the popular hatred against Papists and Popery here. But the Great *Perron* having declared himself not obliged by that Council to shew that severity to the Hereticks in France, hath sufficiently instructed the World that *Roman Catholick Princes* are not by that Council bound always so to do; and the Constellation of the Great *Roman-Catholick Kings* shining in the *Munster Treaty* hath likewise given us light therein.

To Conclude; we are not from the old former Omissions or Commissions of Princes, and People, necessarily to infer future ones. The Prudential Rule is, *De futuris semper meliora speranda sunt*. It is likewise a saying often applied by *Magerus*, *De futuro statuere ex præteritis, prudentis non est*.

Seneca having spoke of the continual Changes of things, and how that *Bis in idem flumen non descendimus*, &c. saith, *Ego ipse dum hæc loquor mutari, mutatus sum*. We have had instances in former times, and in the late Conjecture, of the Sands of Popery often shifting as I called it. The Lord-Keeper Puckering in his famous Speech, observed that in one Conjunction, the Puritans did then joyn and concur with the Jesuits: and the

Doctrinæ

Doctrinal Measures of the Jesuits and our Nominal Protestants about the lawfulness of Exclusion have lately been the same. And I think that such Protestants may reasonably conclude, That it was not for nothing, and not without some end that Divine Providence permitted so many of them to erre therein, and that probably it might be to the end to produce in their minds so great a degree of Compassion and Charity toward the Persons of all Roman-Catholick Christians, as may not only last in this Conjunction, but be operative in them by all Moral Offices of Humanity and Christianity during their Lives.

F I N I S.

As for most of the literal and punctual Errors, which do not endanger the Sense, they are left to the discretion, and favour of the Reader as they shall occur to him. But some of the most remarkable, he may please to take Notice of as followeth,

In the PREFACE.

PAge 2. Lin. 10. after *give*, add *it*. ib. l. 32. for *belief*, read *believe*. p. 3. l. 4. *outrage* there and generally throughout the following work Printed wrong. p. 5. l. 43. for *great Truth*, r. *great thing*. p. 13. l. 3. dele *but*. p. 15. l. 9. for *But*, r. *And*. ib. l. 30. dele *But*. p. 14. the Word *Independant*, there and generally throughout the following work Printed false. p. 18. l. 9. dele *by*. p. 19. for *Vilitigation* R. *Vitilitigation*. p. 20. l. 38. for *thinks*, r. *think*. ib. l. 45. for *Justifications*, r. *Justification*. p. 21. l. 11. for *Articles*, r. *Homilies*. ib. l. 24. dele *or Romes to ours*. ib. l. 49. for *as of*, r. *as to*. p. 23. l. 3. for *Divines*, r. *Princes*. ib. l. 30. after *commodabunt*, end the parenthesis p. 25. l. 18. for *the Signing*, r. *the making*. p. 36. l. 6. for *warming*, r. *warning*. p. 47. l. 38. for *naturally*, r. *natural*. p. 62. l. 28. for *I had*, r. *had I*. p. 69. l. 2. for *Resolution*, r. *Religion*. ib. l. 24. for *Maximian*, r. *Maximin*. p. 70. l. 5. after *Library*, add *that I have seen*.

In the INDEX.

PAge 3. Line 1. for *being an ill*, r. *being in an ill*. p. 3. l. 4. for *time of David*, r. *the line of David*. ib. for *ten*, r. *nineteen*.

In the DISCOURSE.

PAge 4. Line 11. for *othea*, r. *other*. p. 7. l. 13. for *Louvre*, r. *Louvre*. p. 7. l. 36. for *Voughe*, r. *Vogue*. ib. l. 51. for *Summonarily*, r. *Summarily*. p. 10. l. 37. for *Apostacy*, r. *perversion*. ib. l. 39. for *Apostacy*, r. *perversion*. p. 12. l. 28. for *Course*, r. *ours*. p. 13. l. 47. after *being*, r. *now*. p. 16. l. 37. after *since*, r. *originally*. p. 17. l. 20. for *thus for*, r. *thus far*. ib. l. 48. after *so is*, dele *it with*. p. 27. l. 24. for *the Principles*, r. *those Principles*. p. 28. l. 1. & 4. for *Canonise*, r. *Canonise*. ib. l. 32. for *have been*, r. *have been thought*. ib. l. 42. for *the Papists*, r. *some Papists*. p. 29. l. 18. for *no Religion*, r. *no reveal'd Religion*. ib. l. 18. there dele *and indeed*. p. 31. l. 13. *when they*, r. *when Papists*. ib. l. 25. after *shown*, r. *a full Point*. p. 32. l. 28. for *you who are*, r. *you are*. ib. l. 38. r. *φιλάνθρωποι*. p. 34. l. 4. for *Monarchiall*, r. *Monarchicall*. ib. l. 47. for *Atrocious*, r. *Atrocious*. p. 35. l. 3. for *Capital*, r. *Capitol*. p. 36. l. 30. for *the Papists*, r. *some of the Papists*. p. 37. l. 41. for *Lawful*, r. *venial*. ib. l. 53. for *of Protestants* r. *of some Protestants*. for page 325. r. p. 225. p. 39. l. 40. for *Creswel*, r. *Chreiton*. p. 40. l. 8. for *Pavure*, r. *Pauvre*. ib. l. 28. and l. 34. for *Creswell*, r. *Chreiton*. p. 41. l. 50. for *bladed*, r. *blade*. after page 42. r. page 43. ib. l. 1. for *carry*, r. *carrying*. p. 44. l. 31. for *State; there*, r. *State here*. p. 45. l. 40. for *tas* r. *τῶς*. p. 48. l. 41. for *the very*, r. *that very*. p. 54. l. 23. for *Chru-ches*, r. *Churches*. p. 55. l. 49. for *serve vertue*, r. *severe vertue*. p. 60. l. 2. for *and think*, r. *think*. ib. l. 3. for *baldring*, r. *bantring*. p. 62. l. 2. for *Danaus*, r. *Alsted*. p. 65. l. 38. for *of the intolerable*, r. *of the so call'd intolerable*. p. 66. l. 23. for *ten*, r. *nineteen*. p. 69. l. 4. for *Conculcabis*, r. *Ambulabis*. p. 75. l. 32. after *to be*, r. *look'd on by many as*. p. 78. l. 35. for *that Queen*, r. *that by Queen*. p. 83. l. 12. for *and the*, r. *any suppos'd*. p. 86. l. 20. for *the Conjuncture*, r. *a Conjuncture*. p. 89. l. 6. for *will*, r. *may*. p. 106. l. 8. for *great late accession*, r. *great accession*. p. 114. l. 22. for *particulars* r. *peculiaris*. p. 125. l. 29. for *the Spanish*, r. *of the Spanish*. ib. l. 53. for *of reason* r. *of his reason*. p. 131. l. 41. for *ground under the subscription*, r. *groan'd under the superscription*. p. 137. l. 11. after *his name one*, dele *and*. p. 139. l. 8. for *doing with*, r. *doing which*. p. 147. l. 23. for *that Restoration*, r. *the Restoration*. p. 155. l. 32. after the words *to live*, add *yearly*. p. 160. l. 24. for *500*, r. *5000*. p. 164. l. 23. for *Idolatry*, r. *will worship*. p. 166. l. 27. after *having*, dele *of*. p. 167. l. 32. for *sent to petition*, r. *sent too to petition*. ib. l. 37. after the word *expire*, dele *and dy*, and add *by*. ib. l. ult. for *of many*. r. *of money*. p. 169. l. 35. after *with*, begin a Parenthesis, ib. l. 38. after the word *Country*, dele the mark of a Parenthesis, ib. l. 40. for *namely*, r. *yet*. p. 171. l. 2. after *of*, dele the Colon. ib. l. 19. for *owne*, r. *one*. ib. l. 31. after *on*, dele *that*. p. 175. l. 8. after *Mary*, add *and*. p. 177. l. 11. after *mallem*. add *me*. ib. l. 29. after *for*, add *said he*. ib. l. 39. after *eligible*, add *not*. p. 179. l. 34. for *penetrating*, r. *perpetrating*. p. 182. l. 16. for *where*,

where, r. *were*. p. 195. l. 45. for *ever think*, r. *ever thank*. p. 209. l. 19. for *have*, r. *hath*. p. 210. l. 32. after the word *Consistory*, dele *The Cardinals*, and add *Those*. ib. l. 34. after the word *Heretics*, add *were*. p. 211. l. 38. after *that*, add *the*. p. 218. l. 13. for *and*, r. *or*. ib. l. 41. after *by*, dele *the*. p. 220. l. 51. after *day*, add *cost him*. p. 223. l. 53. for *were*, r. *was*. for *causes*, r. *cause*. p. 226. l. 46. after *to*, dele *be*, and add *her*. p. 227. l. 46. after *to*, add *some of*. p. 243. l. 36. after *business*, r. *mostly*. p. 249. l. 11. dele *used and*. ib. l. 26. dele *when*. p. 252. l. 23. after *Interest*, add *of*. after *England*, add *that*. p. 265. l. 45. for *of*, r. *in*. p. 271. l. 25. dele *subtle*. p. 273. l. 2. for *on*, r. *or*. p. 275. l. 38. for *Lucriferous*, r. *Luciferous*, for *Luciferous*, r. *Lucriferous*, ib. l. ult. for *sunt*, r. *sum*. p. 282. l. 6. after *it*, dele *and*. ib. l. 7. before *till*, r. *were*. ib. l. 10. for *prattiques*, r. *Prattique*. ib. l. 11. after *have*, r. *no*. p. 283. l. 27. for *Reliogionary*, r. *Religionary*. p. 286. l. 25. for *angry*, r. *ayry*. p. 292. l. 34. for *officii*, r. *officio*. p. 303. l. 29. after *men*, add *in*. p. 304. l. 37. after *them*, dele these words, *that is to say*, immediately on the *King's Decease*. p. 307. l. 10. for *Custodii* r. *Custodiri*. p. 316. l. 34. for *diffent*, r. *different*. p. 317. l. 32. for *Metroplysical*, r. *Metaphysical*. p. 321. l. 12. for *gave*, r. *give*. p. 323. l. 22. dele the first *and*. p. 330. l. 25. for *Lutheran*, r. *Calvinian*. p. 345. l. ult. for *heredes*, r. *hereditates*. p. 355. l. 48. after *in*, add *se se volvitur*, and dele *se convertitur*. p. 357. l. 23. for *all*, r. *any*. p. 358. l. 16. dele *that*.

INDEX

In the DISCOURSE.

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THE OBLIGATION

Resulting from the
OATH of SUPREMACY,
To Assist and Defend the Pre-eminence or Prerogative
OF THE
Dispensative Power
BELONGING
To the KING, his Heirs and Successors.

In the asserting of that Power various Historical Passages occurring in the Usurpation after the Year 1641. are occasionally mentioned; And an Account is given at large of the Progress of the Power of Dispensing as to Acts of Parliament about Religion since the Reformation; and of divers Judgments of Parliaments declaring their Approbation of the Exercise of such Power, and particularly in what concerns the Punishment of Disability, or Incapacity.

Princes are Supreme over Persons, not over Things.

This is the Supreme Power of Princes which we teach, that they be God's Ministers in their own Dominions, bearing the Sword, and freely to permit and publicly to Defend that which God commandeth in Faith and good Manners, &c.

Princes may Command the Bodies of all their Subjects in time both of War and Peace, &c.

Out of all Question where Princes may by God's Law Command, all Men must obey them, &c.

The Prince may discharge the Servant, but no Man can discharge the Subject.

The Word of God teacheth you to obey Princes; the words of men cannot loose you.

BISHOP BILSON of the SUPREMACY.



London, Printed in the Year, MDCLXXXVIII.

THE
ORIGIN

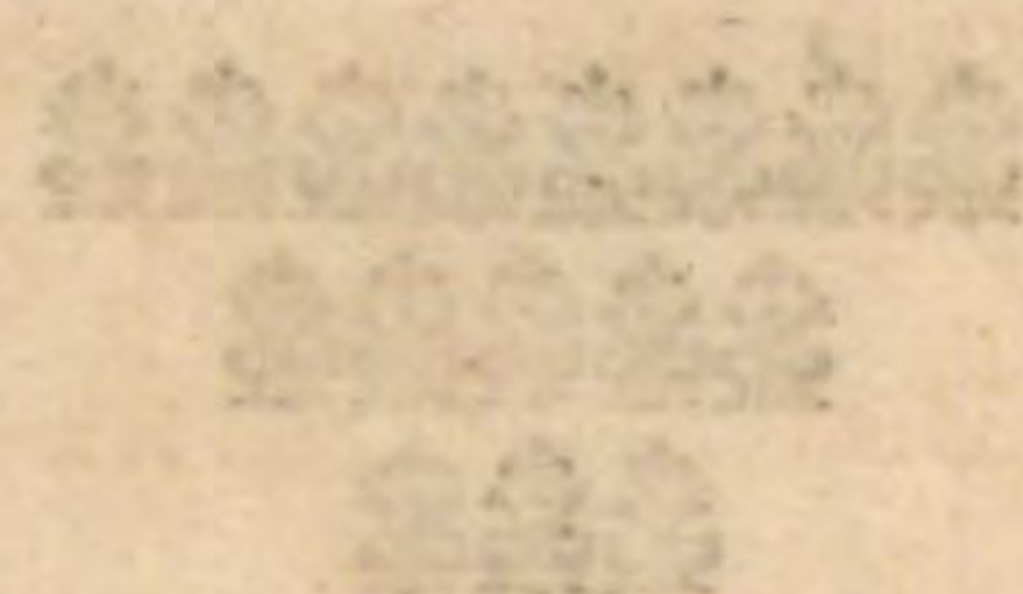
Relating from the
OATH of SUPREMACY,
To All and Defending the Privileges of Parliaments
OF THE

Dispersive Power

RELATING
To the KING, his Heirs and Successors.

In the asserting of that Power various Historical Passages
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of Dispensing as to Acts of Parliament about which the Rector-
tion; and of divers Arguments of Parliament declaring their Appro-
bation of the Exercise of such Power, and particularly in what concerns
the Punishment of Disobedience, or Incapacity.

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This is the Supreme Power of Princes which we teach, that this be God's Right
in their own Dominion, leaving the State, and freely to permit, and punish, to
Defend that which God commands in His Word and Reason, &c.
Princes may Command the Bodies of all their Subjects in their Laws of War and
Peace, &c.
One of our Questions where Princes may by God's Law Command, all their Sub-
jects, &c.
The Prince may discharge the Service, but no Man can discharge the Subject.
The Word of God teaches you to obey Princes; the words of men cannot bind you.
BISHOP BILSON of the SUPREMACY.



London, Printed in the Year, MDCCLXXVII.

To the Right Honorable

JOHN Earl of MELFORT,

Viscount of Forth, Lord Drummond of Rickartone, &c. His Majesty's Principal Secretary of State for the Kingdom of Scotland, and one of His Majesty's most Honorable Privy Council in both Kingdoms of England and Scotland, &c.

MY LORD,



As the *Historian* hath told us of *Ireland*, that long ago while the Arts and Sciences were generally banish'd from the Christian World they were enthroned in *Ireland*, and that Men were sent thither from other Parts of Christendom to be improved in Learning; so I have elsewhere observ'd that in some late Conjunctions (and particularly during the turbid Interval of the *Exclusion*) men might well be sent to *Scotland* to learn *Loyalty*.

And I having taken occasion in the first Part of this Discourse to shew my self a just honourer of that Country, and (as I may say) somewhat like a Benefactor to it by sending thither the notices of some pass'd great Transactions that might possibly there give more light and life to the Moral Offices of Natural Allegiance or Obedience, did hold my self obliged in Common Justice to address this Part of my Work to your Lordship. For as your Station here qualifies you beyond other Subjects to receive what Tribute is offer'd to your Country, so your handing it thither will necessarily make it there the more acceptable.

And when I consider with what an incomparable Tenderness for the Monarchy and its Rights so many of the *Statutes* of *Scotland* since the Year 1660. have been adorn'd, I am apt to think that any matter of Presidents or Records by me recover'd out of the Sea of time where they lay so long useless and neglected, and now happening to be serviceable
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to those Moral Offices before-mention'd, would by the so many in that Kingdom devoted to consummate Obedience and Loyalty, be more valued then if I could have imported into that Realm another such Treasure as that which lay so long buried in the *Ocean* near the *Bahama Islands*, and that whoever Contributed to your Loyal Country any Substantial Notions that might enrich it in the discharge of the Duties of the *born* and *sworn* Allegiance, would be esteem'd there as some way sharing in the honour of *Arauna*, in *giving like a King to a King*.

Long may your great Master live happy in the Enjoyment of the faithful Services of so vigilant a Minister as your Lordship, who by the universality of your Knowledge accompany'd with universal Charity for all Mankind, have appear'd to be born, as I may say, for the time of his most glorious Reign, the time chosen by Heaven for Mercies Triumph on Earth.

Nothing vulgar was to be expected from a Person of your Lordship's extraordinary intellectual and moral Endowments, and in whom the *Loyalty* and other Virtues of your many noble Ancestors have (as it were) lived *ex traduce*. And the World would be unjust to you if it acknowledged not its great Expectation answer'd by your greater Performances, and particularly by your having been so eminently Ministerial in the Easing both the Cares of your Prince, and of all his Subjects too by the Figure you have made in promoting the Ease of his People's Consciences, and in further ennobling and endearing the Name of *DRUMMOND* by your Lordship's Prosecuting that by the Bravery of Action, which the *HISTORIAN* of that your Name did by Words, when he transmitted to Posterity the most Christian and Statesman-like *Speech* of Liberty of Conscience, I know extant, and as spoke by a *Roman-Catholick* Councillor in *Scotland* to King *James the Fifth*.

I most humbly kiss your Lordship's Hands, and am,

My Lord,

Your Lordships most Obedient Servant,

P. P.

THE OBLIGATION

Resulting from the

Oath of Supremacy,

To Assist and Defend the Pre-eminence or Prerogative

OF THE

Dispensative Power,

Belonging to the KING, his Heirs,
and Successors, &c.

A. **I**N this Kingdom of *England*, so naturally of old addicted to *Religion* and vehemence in it, as to give a Bishop of *Rome* cause to complain, he had more trouble given him by *Applications* from *England* about it, then from all the World beside; and afterward to make *Geneva* wonder at the *Sabbatarians* here exceeding the *Jewish* strictness; and to cause *Barclay* in his *Euphormio* to say of the English, *Nec quicquam in numinis cultu modicum possunt*, and that our several *Sects* thought *unos se Cœlestium rerum participes, exortes cæteros omnes esse*: did you ever observe, hear or read of the style of *Tenderness of Conscience* so much used as in the year 41. and sometime afterward?

B. I have not. From the Date of King *Charles* the First's Declaration to all his loving Subjects about that time, wherein he speaks of his Care for Exemption of Tender Consciences, till the Date of King *Charles* the Second's Declaration from *Breda*, wherein the Liberty of Tender Consciences is Provided for, the clause of easing Tender Consciences ran through the Messages, Addresses, and Answers that passed between King and Parliament almost as much as the Clause of *proponentibus legatis* did run through the Council of *Trent*.

A. But were not their Consciences extremely erroneous. who thought themselves bound then to advance Religion by War?

B. Ay, and by a Civil War (as you might have added) against a Prince of the tenderest Conscience imaginable: for that Character he had from an

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Arch-bishop in his *Speech in the Parliament of 40.* who said, *Our Sovereign is, I will not say above other Princes, but above all Christian men that ever I knew or heard of, a man of most upright, dainty, and scrupulous Conscience, and afraid to look upon some Actions, which other Princes abroad do usually swallow?* and he might have added, a Prince the real Tenderness of whose Conscience had so often favour'd the nominal tenderness of others, who instead of being *Tender-hearted Christians*, were *Stiff-necked Jews*; and who might justly apprehend that it was only *duritia cordis*, instead of *Tenderness of Conscience* he dispens'd with, and as when God dispens'd with the Jews in *Polygamy*.

For since *Tenderness of Conscience* doth necessarily render a man abstemious from things lawful, and to be of a gentle submissive temper not only to his Equals, but Inferiors, and to be merciful even to brute Creatures, and not only averse from suing any one about Penal Lawes, but ready to remit somewhat of his Right rather than to go to Law with a Stranger, and much less with ones Father; the *Pater Patriæ* seeing any men outraging the Lawes, and the quiet of the whole Realm by that wilde brutish thing call'd War, (for *ferinum quiddam bellum est*) might well judge them utterly devoid of all *Tenderness of Conscience*. I shall therefore frankly tell you, that no doubt but their Consciences were extremely erroneous, or rather seared.

Our great Writer of Conscience, Bishop Sanderson in his *Sermon on Rom. 14. 13.* discussing the Causes from which mens doubtfulness of mind may spring, and saying that *sometimes it proceeds from Tenderness of Conscience, which yet is indeed a very blessed and a gracious thing, doth very well add, but yet (as tender things may sooner miscarry) very obnoxious through Satan's diligence and subtlety to be wrought upon to dangerous inconveniences.*

And if we Consider that a *Civil War* cannot be lawful on both Sides, however a *foreign* one may, we may well account that any deluded melancholy People who were tempted to raise a Civil War out of a blind Zeal for Religion, and to assault the *Thirteenth* of the Romans out of the *Apocalypse*, had hard Spleens instead of tender Consciences, and that they have soft Heads instead of tender Hearts, who try to make Religion a gainer by War.

But indeed the Project of Planting Religion and Propagating the Church by War, that is described to be *Status humanæ Societatis dissolutæ*, and that so presently opens to all mens view the horrid Scene of *Contempta Religio, Rapta profana, Sacra profanata*, is so vain, that the old Proverbial Impiety of such who did *castra sequi* how victorious soever, hath naturally help'd to make Conquering Nations embrace the very Religion of the Conquered; a thing exemplify'd in the Conquests of the Danes and Saxons in England, of the Gothes in Italy and France, and Spain, and of the Moors in Spain, and in the Turks having overcome the Saracens, embracing the Saracens Religion.

And the Vanity of Reforming the World by War, that Profound and Conscientious Statesman Cardinal D'Offat in his Third Book, 86th Letter and to Villeroy, A. 1597. hath well taught us, and where he mentions how he urged to the Pope the reasonableness of Harry the 4th's, so religiously observing the great Edict of Pacification, and that the many Wars made again and again by Hereticks, serv'd for nothing but in many places to abolish the Catholick Religion, and in a manner all Ecclesiastical Discipline, Justice, and Order, and to introduce Atheism with the Sequel of all sorts of Sacrileges, Parricides, Rapes, Treasons and Cruelties, and other sorts of wickedness, &c. and afterward that on the making War, all the Malecontents, all People

People indebted and necessitous, all Debauchees, and Vagabonds, all Thieves and other Criminals, whose Lives were become forfeited to the Law, of what Religion or Opinion soever they were, were wont to joyn with the Hugonots, and did more harm to the Church, and Religion, and good manners in one day of War, then they could in a hundred days of Peace.

Thus he who sits in the Heavens had them here in derision, while they in effect thus presumed to transprose Scripture, and to say Glory to God in the highest, and on Earth War, and ill will towards men; and while according to that Saying in Arch-bishop Laud's famous Star-Chamber-Speech, viz. No Nation hath ever appear'd more jealous of Religion then the People of England have ever been, they were under such Transports of misguided Zeal, as to adore that their jealousy, and to offer Sacrifices to it with as much Contempt of Heaven and Cruelty to Mankind, as ever were offer'd to the image of Jealousie referr'd to by Ezekiel; and to which the tenderest of their Relations were not thought too costly Victims: and to which their truly Tender-Conscienced King, who like Moses with Tenderneſs carried them in his Bosome as a Nursing-Father beareth the sucking Child, and who sometimes out of Tenderneſs to several of his Complaining Children Sacrificed the rigour of his Penal Lawes, and to whom they should have been subject for that Tender thing Conscience sake, was himself at last Sacrificed.

How did that Pious Prince sometimes in relation to his Heterodox Protestant Subjects imitate the Father of the Prodigal, who when his Son was yet afar off, ran to meet him, fell on his neck and kiss'd him, a thing acknowledged by an Eminent learned Divine, Mr. John Ley in his Book call'd *Defensive Doubts, Hopes and Reasons*, Printed in the year 1641. and where in p. 123. urging the Bishops to procure the Revocation of a late Canon of the Church, and having said wherein if they appear and prevail, they need not fear any disparagement to their Prudence by withdrawing that they have decreed, since the wisest Statesmen and greatest Governors have used many times to comply so far with popular Dispositions, as to vary their own Acts with relation to their liking, as the Pilot doth his Sails to comply with the wind, he addeth, And you cannot have a more authentic Example both to induce you to this, and to defend you in it from all Imputations, then that of our Sacred Sovereign, who rather then he would give any Colour of Complaint for aggrivances to his People, was pleas'd to DISPENSE with the five Articles of PERTH's Assembly, and to discharge all Persons from urging the Practice thereof upon any either Laick or Ecclesiastical Person whatsoever, and to free all his Subjects from all Censures and Pains whether Ecclesiastical or Secular, for not urging, practising, and obeying any of them, tho they were establish'd both by a General Assembly, and by Act of Parliament. King Charles his large Declaration of the Tumults in Scotland, p. 370. & p. 389. And for his OWN Acts (for these Articles of Perth were propounded and ratify'd in the Reign of his Royal Father) he imposed the Service Book, the Book of Canons, and high Commission upon his Subjects in Scotland, and upon their humble Supplication, was content graciously to grant a Discharge from them: passing his Princely Promise that he would neither then nor afterwards press the Practice of them, nor any thing of that nature, but in such a fair and legal way, as should satisfie all his loving Subjects. The Duplys of the Divines of Aberdene, p. 54. and p. 130, 131. Whereupon Mr. Ley thus goes on, viz. Wherein Wise men who judge of Consultations and Acts by their probable Effects, and not unexpected Events, cannot but highly commend His Majesty's Mildneſs and Clemency: which we doubt not would condescend to your Requests for a removal of this great aggrivance if you would please to interpose your Mediations to so acceptable a purpose, and upon our humble

ble sute, which in all submissive manner we tender to your Lordship (and by you to the rest of your Reverend Order) we hope you will do so, since we have it upon his word (His Royal Majesty's word, which neither in Duty nor Discretion we may distrust) that the Prelates were their greatest Friends (i. e. of his Scottish Subjects) their Councils were always Councils of Peace, and their Solicitations vehement and earnest for granting those unexpected Favours which we were pleas'd to bestow upon our People. The King's large Declaration, p. 420.

Thus then the Royal Dispensation with the five Articles of Perth was at the Intercession of the Bishops, tho' they knew the same Establish'd by Act of Parliament, graciously afforded to his Scottish Subjects.

Those Articles of Perth related to various Religious Matters, viz. The introducing of Private Baptism, Communicating of the Sick, Episcopal Confirmation, Kneeling at the Communion, and the observing such ancient Festivals as belong'd immediately to Christ: and of which Doctor Heylin in his History of the Presbyterians having spoken saith, That the King's indulging the Scots in Dispensing with the Penal Laws about them, was an Invitation to the Irish Papists to endeavour by armed force to Compass the King's Dispensation.

But how tenderly the Consciences of the Roman Catholics in Ireland were in the Reign of the Royal Martyr THEN Protected under the Wing of the Dispensative Power, contrary to what the Dr. observ'd, any one may see who will Consult my Lord Primate Bramhal's Replication to the Bishop of Chalcedon, where he saith, That the Earl of Strafford Lord Lieutenant of Ireland did commit much to my hands the Political Regiment of that Church for the space of Eight years. In all that time let him name but one Roman Catholic that suffer'd either Death or Imprisonment, or so much as a pecuniary Mult of Twelve Pence for his Religion upon any Penal Statute, if he can, as I am sure he cannot, &c.

And such was the acquiescence of the Populace, and of the three Estates in the Penal Lawes there against the Roman Catholics being thus dead or asleep, that in the Printed Articles of Impeachment against the then Lord Chancellor of Ireland, and that Lord Primate then Bishop of Derry, and others of His Majesty's Publick Ministers of State exhibited by the Commons to the Lords in the year 1640. there is not a syllable of Complaint against those Lawes being so dispens'd with by Connivence.

Nor yet in the Printed Schedule of Grievances of that Kingdom voted in the House of Lords there to be transmitted to the Committee of the same House, then attending in England to pursue Redresses for the same, is there any representation of such Indulgence being any Gravamen, nor yet of the great Figure the Irish Papists then made in the Government, the Majority of the Parliament, and of the Judges and Lawyers then being such.

And pursuant to that Prince's Indulgence offer'd to the tender Consciences of his Subjects in the year 41. he was graciously pleas'd in the Treaty at Uxbridge to order his Commissioners who were such renown'd Confessors of the Church of England, to make the first Royal offer there that freedom be left to all Persons of what Opinion soever in Matters of Ceremony, and that all the Penalties of LAWS and Customs be SUSPENDED.

And the truth is, since the Christian Religion did in its first settlement so rationally provide for its Propagation in the World, and its bespeaking the favour of Princes by its enjoyning Subjection and Obedience to their Lawes, not only for Wrath, but Conscience sake; and since that Principle of humane Lawes binding the Conscience (which was so often and so publickly avow'd by that Prince and Arch-bishop Laud, and Bishop Sander son and the Divines of

of the Church of *England* in General) is the surest guard to Princes *Thrones* and their *Tribunals*; and that therefore 'tis the Interest of the *Prince* and *People* to be more watchful in preserving that *Principle* than all the *Jewels* of the *Crown*, or *Walls* of the Kingdom: that *Prince* did therefore necessarily take Care to preserve and to perpetuate in some of his *tender-Conscienced* Subjects, a continued *Tenderness* for his *Lawes* by his lawful *Dispensative* Power (as particularly in the *Case* of his *Scottish* Subjects) in taking off the *Obligation* of *Obedience*, and of *Conforming* themselves to the *Establish'd* *Lawes*; for such *Dispensation* intrinsically notes the *taking off* such *Obligation* from the Persons dispens'd with. And it is indeed a *Solecism* for any one to ask *Indulgence* from a *Prince* who owns the *Law* of the *Land*, binding him in *Conscience*; if he doth not think such *Prince* perfwaded that his Power of granting it is a part of that *LAW*.

He was not ignorant of his *Father's* Aversion against the *Penal* *Lawes* in general, and on which Account my Lord *Bacon* celebrating him, saith, *As for Penal Lawes which lie as snares upon the Subjects, and which were as a Nemo scit to King Henry 7. it yields a Revenue which will scarce pay for the Parchment of the King's Records at Westminster.* And religious *Penal* *Lawes* requiring the greatest *tenderness*, as he found when he came to the Government, that the two most famous *Puritan Divines*, Mr. *Hildersham* and Mr. *Dod*, Men of great *Probity* and *Learning*, had often been in his *Father's* time Pursuant to the *Act* for *Uniformity* disabled from *Preaching*, and been *re-enabled* to it by particular *Indulgence* (and as likewise *Fuller* tells us in his *Church History*, that *Bishop Williams* when he was *Lord Keeper* of the *Great Seal* of *England*, procured a *Licence* from *King James* under the *Great Seal* for Mr. *Cotton* the famous *Independent* to *Preach* notwithstanding his *Non-Conformity*) so he in the same manner that his *Royal Father* did, held the *Reins* of the *Law* loose in his hands as to those two other *Non-Conformists* beforemention'd.

The *History* of Mr. *Hildersham's* Life, mentions that he was silenced in *June*, A. 1590, and restored again in *January*, A. 1591. Again he was deprived and silenced, *April 24. A. 1605.* for refusal of *Subscription* and *Conformity*, and after some time again restored: and was again Silenced in *November*, A. 1611. by the *King's* particular *Command*; and on *April 23. A. 1613.* he was judicially admonished by the *High Commission*, that saving the *Catechizing* of his own *Family* only, he should not afterward *Preach*, *Catechize*, or use any of the *Offices* or *Fnnction* of a *Minister* publickly or privately till he should be lawfully restored and releas'd of his said *Suspension*. But shortly after the beginning of the *Reign* of the *Royal Martyr*, he was again restored; and was afterward again silenced, and so continued till *August 2. A. 1631.* and then he was again restored. And Mr. *Dod's* Life represents his *Case* as parallel with this before-mention'd. He was in *King James* his time suspended and restored, and again by the *King's* particular *Command* disabled from *Preaching*, and was by *King Charles* the First re-enabled or restored.

Thus as *fortis fortem amat*, one *tender-Conscienced* man too loves another such; and the *Executive* Power of the *Law* in re-enabling after temporary *Disability*, was tenderly administred by these our *Princes* to these *Conscientious* Men, with respect to their real *Capacity* of *Favour* to be shew'd them.

A. You have here given me a taste en passant of part of the *Dispensative* Power, as exercised in the *three* *Realms* during some *Conjunctures* in the *Reign* of *King Charles* the First, and for which I thank you, and particularly for what you told me of the *Act* of *Parliament* dispens'd with in *Scotland*,

of which I never heard before ; and am apt to suppose a thing of that Nature was never done before in that Realm.

B. I can assure you, to those who know the Publick Transactions of that Kingdom, the thing will not in the least seem new. I can tell you that on the 26th of November, A. 1593. King James the 6th of Scotland made an Act of State in favour of three Roman-Catholick Earls, *Huntly, Arroll and Angus*, by which Act he allow'd them several Priviledges, contrary to Acts of Parliament made against Roman-Catholicks. And His Majesty in his Act of State expressly *dispenseth* with those Acts of Parliament : and which Dispensation tho Queen Elizabeth importuned him to revoke (and for that purpose sent the Lord Zouch as her Embassador to him) he still adhered to the Act of State he had made, and continued his Dispensation.

A. Have you this Matter of Fact out of any of the Records in England or Scotland ?

B. I have it out of the Original Papers under the hand of Queen Elizabeth and her great Minister Burghly, and the Original Instructions of the Lord Zouch when sent by her to expostulate with the King about it, that were lately in my Custody, and by me sent to our gracious Sovereign : and I shall some other time give you a more particular account of that Dispensation.

A. But (I beseech you) did not the Protestant Divines of the Church of Scotland then cry out of the unlawfulness or inexpedience of that Dispensation ?

B. I have read it in a learned Book of Dr. Maxwell a Scotch-man, Printed A. 1644. (and who was then Bishop of Killalby in Ireland, and had formerly been Bishop of Rosse) that Mr. Robert Bruce one of the Ministers of Edendurgh, and who had a great sway in the Church of Scotland, was pleas'd with the King's extending his Favour to Angus and Arroll, but out of a factious Compliance with the Earl of Arguile, was displeas'd at its being shewn to Huntly. But that Loyal Bishop there acquiesceth in the reason of State, that inclined the King to Pardon the three Earls, and his thereby hindering the growth of Faction in Scotland, and providing for his more easie and secure access to the Throne of England on the Death of Queen Elizabeth.

And so you may easily guess what sort of men in Scotland look'd with an evil eye on that Act of the Royal goodness, and who did not. The Bishop there had applauded the great depth of the King's Wisdom, and his transcendent Goodness in the Pardoning the three Earls, and mention'd that there was nothing of Religion in the Case of Bruce's Aversion against the Pardon of Huntly, for that Angus and Arroll were as bigot Papists, if not more than Huntly.

I can likewise direct you to my Lord Primate Bramhall's celebrated Book call'd *A Fair warning to take heed of the Scottish Discipline*, wherein Chap. 6. thus entituled, viz. *That it robs the Magistrate of his Dispensative Power*; he saith by way of instance, *When the Popish Earls of Angus, Huntly, and Arroll, were excommunicated by the Church, and forfeited for Treasonable Practices against the King, it is admirable to read with what Wisdom, Charity, and Sweetness his Majesty did seek from time to time to reclaim them from their Errors, &c. and on the other side to see with what bitterness and radicated Malice they were prosecuted by the Presbyteries and their Commissioners, &c. sometimes threatening that they were resolv'd to pursue them to the uttermost, tho it should be with the loss of all their Lives in one day, &c. sometimes pressing to have their Estates confiscated, &c.* He refers there in his Margin to *Ass. Edinb. 1594.*

But

But any one who shall consult *D'Offat's Letters*, and there in the *Second Book* carefully read over the 37th *Letter* that was writ to *Villeroy* in the year 1596, and three years after the Date of King *James* his *Act of State*, and observe what that great *Sagacious Cardinal* there refers to concerning the Circumstances of those *three Earls*, and how all the Prudence that could be shewn by man, was but little enough for the Conduct of that King in that *Conjuncture*, in order to his removing what Impediments either from *Rome* or *Spain*, or his *Native Country* might obstruct his Succession to the Crown of *England*; will not wonder at his having *dispens'd* and continued his *Dispensation* as aforesaid.

A. I have not yet ask'd you whether the *Divines* of the *Church of England*, did not lift up their voices like a *Trumpet* against the *Dispensative* Power thus exercised by their Prince, as you have mention'd?

B. They discharged their Duties in Preaching occasionally against all growing Errors: but they wanted none to mind them of the Saying, *Impium esse qui Regi dixerit, Inique agis*. The Pious and Learned Author of *Certain Considerations tending to Peace, &c.* mentions how the *Bishop of St. Davids* in King *James's* Reign, A. 1604. did in a set Speech in Convocation shew, that *Ministers* were not in the late *Archbishop's* time disabled from their Ministry on the Account of Non-conformity to the Ceremonies by Law enjoy'd; and concluded his Speech with the motion of *Petitioning* the King, That if the removal of some of the Ceremonies enjoy'd could not be obtain'd, nor yet a *Toleration* for them of more stay'd and temperate Carriage, yet at least there might be procured a mitigation of the Penalty, &c.

And as the *Suspension* or *Disabling* of *Hildersham* and *Dod* from their Ministerial Functions, so the *Restoring* of them to the same without all such things done by them as the strictness of the Lawes required, was in both those Princes Reigns executed by the *Bishops*.

Nor do I remember to have read of any *Divine* of the *Church of England* to have in the least look'd with an evil eye on the goodness of the *Dispensative* Power in the Reign of King *Charles* the First being extended to particular Persons; but the hated *Sibthorpe*, who in his *Sermon* of *Apostolick Obedience* (as he call'd it) doth speak of *Mens* being bound to observe the Lawes of the Land where they live, except they will suffer as busie bodies, or except they will have that inconvenience granted, that the general Lawes or Government of a Nation must be dispens'd withal, according to the particular Conceit and Apprehension of every private Person: whereout what *Toleration* of *Heresy*, what *Connivence* at Errors, what danger of *Schisms* in the Church and *Factions* in the State, must necessarily follow, &c. and having mentioned the Liberty of a few erroneous Consciences bringing the Bondage of many regulated Commands, he saith, We must prefer the general before the particular, and not let every one be loose to their List and Affection, but all must be kept within the Lists of their Duty and Subjection.

And I but just now told you of that Prince's avowing, that the *Bishops* advis'd him to the tenderness he shewed in dispensing with his Lawes, to gratifie the pretended tenderness of the Consciences of some of his *Scotish* Subjects in that *Conjuncture*; and by which *Dispensing* one would have thought they might have been sufficiently antidoted against the strong Delusions of entring into War for Religion.

Oh that such thoughts had been then impress'd on their Minds, as are contain'd in the *General Demands* of the *Ministers* and *Professors* of *Aberdene*, p. 29. as I find them cited in the *Book* of *Mr. Ley* before-mention'd,
viz.

viz. *There be other means more effectual for holding out of Popery (and so of any unlawful innovation) in which we ought to Confide more then in all the Vowes and Promises of Men, yea, also more then in all the United Forces of all the Subjects of this Land, to wit, diligent Preaching and Teaching of the Word, frequent Prayer to God, humbling of our selves before him, and Amendment of our Lives and Conversations, and Arming our selves against our Adversaries by diligent searching of the Scriptures, whereby we may encrease in the knowledge of the Truth, and in ability to defend it against the Enemies of it.*

Oh that the Demagogues of those times had caus'd such words then to have been writ in our Churches, or I might rather wish that those Heads of Parties had had themselves then hearts of flesh, and that such tender words had been like a Law written there.

But the *Urgentia imperii fata* were upon us; and that delicate use of Conscience that is in 2. Cor. 13. 5. call'd *examen vel probatio nostrum ipsorum*, and whereby it resembled the best property of a beam in Scales, namely its *tenderness*, and turning with the least part of a grain, was among the great Actors in that Rebellion quite laid aside, and all the *τα βαρύτερα & νόμω*; i. e. the weightier Matters of the Law did not stir their Consciences: and the great Obligation of their Oaths of Allegiance and Supremacy signify'd no more then the dust of the balance.

Tho they pretended to so nice a *Tenderness* about any thing that look'd like an Oath in familiar discourse and was not one, as at the Saying *in faith*, or *in troth*, and so would seem to come under Solomon's Character of him that feareth an Oath, (but as to which words of *in faith*, or *by my faith*, our Judicious Sanderſon de *Juramento* makes them amount to no more then a meer *Asseveration*, or at the most an *Obtestation*; and saith, that the genuine interpretation of the words, by my faith, whether in an assertory or promissory matter is this, *I speak from my heart, I pawn my faith to you that the thing is so*) yet they at the same time would *ridicule* or *seize on* any one who had told them of what they were Sworn to in the Oath of Allegiance, and of the recognition they made there, as the words of that Oath are, *heartily, willingly and truly upon the true faith of a Christian.*

A. There was a Solemn League and Covenant afterward took by those who had so apparently outraged the Oath of Allegiance, and it was taken generally by all the Layety and Clergy of the Parliaments Party; and was there not a general *Tenderness* of Conscience express'd then in the observance of that Covenant?

B. In the course of my Observation of Men and Things, some things have more particularly occurred to me to shew you that the great Takers and Imposers of that Covenant did as plainly and without any seeming remorse outrage their Oath in that Covenant, as they did their Oaths of Allegiance and Supremacy. For after they had first sworn to endeavour to preserve the Reformed Religion in the Church of Scotland in Doctrine, Worship, Discipline, and Government, and then sworn to endeavour to reform Religion in these Kingdoms of England and Ireland in all Points, according to the Examples of the best Reformed Churches; and so were bound to reform us according to the Pattern of Scotland, (for that Church must necessarily pass for the best Reform'd Church, that stands in need of no Reformation, being to be preserv'd by them in the State it was) the Parliament instead of settling in England the Presbyterian Government which then in Scotland, had within its Verge four Judicatories, and all pretended to be founded on Divine Right. 1. A Parochial Session. 2. A Presbyterian Consistory. 3. A Provincial Synod. 4. A General Assembly, as they were bound to, did in effect settle

ERASTIA-

ERASTIANISM (a *Tenet*, or hypothesis of Church-Government that the *Scotch* and *English* Presbyterian Divines avowed as great an hatred of as of *Popery* it self; *Erastianism* giving the *Supreme* Power in Ecclesiasticals to the *Civil* Magistrate) and in their Printed *Votes* and *Orders* reprov'd the *Presbyterian* Divines for challenging an *Arbitrary* Power, and which they would not grant, nor set up ten Thousand *Judicatories* within the *Kingdom*, as the *Parliaments* words were: referring to the *Scots* *Parochial* Session, where a competent number of *Lay-Elders* (whom they call *Presbyteri non docentes*) and *Deacons* proportionable to the *Precinct* and *Extent* of the *Parish* are conjoyn'd, and which associate Body thus compacted is the *Spiritual* *Parochial* *Sanhedrim*.

But this very first Point of that Church-Government, the *Parliament* hinder'd *Presbytery* from gaining here, and oppos'd its moving in that lowest *Sphere* of the *Parochial* Session of settling so many Thousand Ecclesiastical *Courts* of *Pye-Powder* in *England*, and whereby it could never hope to climb up to the *Primum mobile* of a *General Assembly*, which in reality was the *Sphere* the *Parliament* it self moved in.

Mr. Prynne who was one of the greatest Champions for that *Covenant*, was yet an Eminent profess'd *Erastian*, and *Mr. Coleman* a Member of the *Assembly* of Divines, another of those Champions for the *Covenant*, was likewise a declared *Erastian*, and a great Favourite of the *Parliaments*, and whose frequent *Sermons* before them for *Erastianism* were Printed by their Order; and which *Sermons* of his, and likewise his Books writ for it were with great heat impugn'd in *Print* by *Mr. Gillespy* a *Divine* of *Scotland*, and one of the *Commissioners* in *England* for that *Kingdom*: and who in a Printed *Sermon* of his Preach'd before the *House* of *Lords*, doth call *Erastus* the great Adversary; and in one of his *Pamphlets* against *Mr. Coleman*, call'd *Nihil Respondes*, mentions how the *Presbyterians* and *Independents* were both equally interess'd against the *Erastian* Principles.

And as to the greatness of the number of the *Covenanters* out of *Parliament* that reject'd the *Jure-divinity* of the *Scots* ruling *Elders*, *Mr. Coleman* gives us his Judgment in p. 12. of his *Reply to Nihil Respondes*, viz. that $\frac{2}{10}$ of the *Assembly*, and $\frac{200}{1000}$ of the *Kingdom* deny'd a *Ruling Elder* to be an instituted Officer *jure divino*.

But *Heylin* having told us in his *History of Presbytery*, That *Presbytery* did never settle its *Lay-Eldership* in any one *Parish* in *England*: we may easily thence suppose the *National* Violation of that *National Covenant*, without any apparent regret of Conscience on that account.

How all the *Independent* Clergy and *Layety* who had took the *Covenant* did in a manner *simul & semel* most notoriously violate it, in setting up the model of their Church-Government is not unknown.

But indeed, as the very sagacious Author of the Book call'd, *The main Points of Church-Government*, &c. Printed in *London*, A. 1649. hath observ'd, The known sense of the *Scotish* Nation which fram'd the *Covenant*, and for whose Satisfaction the *Covenant* was here taken, doth include *Independency* under the name of *Schism*, or at least under those words contrary to sound Doctrine; and our *Independent* Divines could not but know this to be their sense of it, and yet we know of none that did protest against it, or explain themselves otherwise at the first taking of the *Covenant*, if they have done it since.

And I might further tell you, that after the Engagement was set up of being true and faithful to the *Common-wealth* of *England* as it is now *Establish'd* without a *King* or *House of Lords*; tho several of the *Presbyterian*

Divines out of a sense of their Oaths and Allegiance, and their Covenant were so Loyal as to refuse it, I have not heard of any of those Independent ones who did.

But such was the Inundation of Practical Atheism in the Kingdom that our Civil Wars had caus'd, that when the Engagement was set up, almost the whole Body of the Lawyers in England took it rather than they would lose their Practice. These men knew the meaning of the Acts of Parliament containing the Oaths of Allegiance and Supremacy, and yet were abandon'd by a disloyal Sophistical Principle of the want of Power in a lawful Sovereign to protect them, absolving them from their Obedience, to cancel their Oaths in the Court of Conscience.

And in a word further to shew you how the tender Regard of publick Promises was here grown one of *Pancirol's lost things*, I shall tell you, that tho in the Parliament of Richard Cromwell, none was allowed to sit but he who had first took a Recognition of engaging to be true and faithful to the Lord Protector, &c. and not to propose or give any Consent to alter the Government as 'tis settled in one single Person and a Parliament, yet the Republicans in that Parliament were not in the least diverted by that Recognition from endeavouring there to alter the Government, and it was there avowed by them, that a Promise or Oath took without Doors, did not bind within.

And at last to bring up the Rear of mens Perjury, after all the Oaths legal and illegal had been so much confounded, when the late King's Restoration was almost in sight on the then General Monk with his Army coming to London, a new Oath of Abjuration of the Royal Line was at that time set on foot in Council, and which some there would have had imposed on the General himself.

A. Good God! What a Concatenation of Perjuries was our Land so long enslaved with? you have referr'd to the Solemn League and Covenant for extirpating Popery and Superstition, and while a General Assembly, and Parliaments were planting here the Doctrine of the Council of Lateran, namely the Absolving Subjects from their Oaths of Allegiance.

B. And while they were planting a Discipline, that Archbishop Whitgift in his Reply to T. C. p. 299. 559. and Bishop Hall in his Book of Episcopacy, Part 3. p. 34. and Bishop Downham in his Defence of his Sermon, l. 1. c. 8. p. 139. And Archbishop Bramhal in his Fair warning to take heed of the Scottish Discipline almost throughout, do charge with *POPERT*; and where the last Archbishop doth represent the Covenant with the terms of Baal, Baal berith and Baalims, and saith, *It were worth the enquiring whether the marks of Anti-Christ do not agree as eminently to the Assembly general of Scotland, as either to the Pope or to the Turk.* This we see plainly that they spring out of the Ruines of the Civil Magistrate: they sit upon the Temple of God, and they advance themselves above those whom the Scripture calls Gods.

A. That Archbishop's saying, *It were worth the enquiring* thus concerning that general Assembly as then used, is the only thing wherein I differ from him, for I think there is no doubt in the case.

B. To this you may add the thoughts of their being associated against Superstition, while they were planting the grossest Superstition that any Age hath known, if we may take our measures of Superstition from that definition of it in the *Reformatio legum Ecclesiasticarum*, viz. *Superstitio cultus est ad Deum relatus, immenso quodam proficiscens humano Studio, vel animi certa propensione quam vulgò bonam intentionem vocant, &c.*

Let any one consider, how after the beginning of the *Parliament of Forty*, they had obtain'd in the very *Act* that took away the *Ship-money*, that all the *Particulars* prayed or desired in the *Petition of Right* should be enacted; one whereof was, That no Oath should be imposed on the Subjects that was not establish'd by *Act of Parliament*, and how in despite of that *Law*, they without any such *Act*, out of a blind Zeal for Religion, imposed this dreadful Oath on the People: Let any one but read over *The Covenant with a Narrative*, and the *Speeches* of Mr. Nye and Mr. Hendersham at the time of the Solemn Reading, Swearing and Subscribing of the Covenant by the *House of Commons*, and *Assembly of Divines* in *St. Margaret's Church*, and observe in Mr. Nye's *Speech*, his Saying, that ASSOCIATION is of Divine offspring, and his resembling of this Covenant to the Covenant of Grace, and the matter of it there represented by him as worthy to be sworn by all the Kingdoms of the World, as a giving up of all those Kingdoms to Christ; and where it followeth, yea, we find this very thing in the utmost accomplishment of it, to have been the Oath of the greatest Angel that ever was, who setting his feet on two of Gods Kingdoms, the one upon the Sea, the other upon the Earth, lifting up his hand to Heaven, as you are to do this day, and so Swearing, *Rev. 10. &c.* and consider how he there makes this Oath to be the most effectual means for the ruining Popery and Prelacy, and leaves it to be consider'd, whether, seeing the preservation of Popery hath been by Leagues and Covenants, God may not make a League and Covenant to be its Destruction, after he had before-mention'd the Associations of the Religious Orders and Fraternities, and the Combination by the *la Sainte Ligue* for the muniting of Popery, as incentives to this League; and how he doth again go to the Magazine of the *Apocalypse* for some Weapons for this Covenant, and hath other artillery for it from the Jewish State, citing the words of the Prophet, Let us joyn our selves to the Lord in a perpetual Covenant that shall not be forgotten, & how according to the *ratio nominis* of Superstition, viz. of mens over-importunate Prayers that their Children might out-live them, he concludes with a devout Prayer, that this Covenant may out-live their Childrens Children; and let any one behold in Mr. Henderson's Speech the like flame of *Enthusiastick Zeal* (or of the Superstition quam vulgo bonam intentionem vocant) against Superstition and Idolatry in Worship, &c. and concluding it with his belief, that the weight of that Covenant would cast the balance in our English Wars; I say let any one consider all this, and tell me if ever he saw a more pompous Scene of Superstition, and more magnificent Procession bestow'd on it, and contrived as Bishop Sander's words are in his *Lecture*, *De bonâ intentione* (and having his eye on that Covenant) viz. *Obtentu gloriæ Dei, reformatæ Religionis, propagandi Evangelii, extirpandæ superstitionis, exaltandi regni Domini nostri Jesu Christi*; and if ever he saw what the Bishop in that *Lecture* calls *The Jesuites Theology*, viz. *Omnia metiri ex Commodo Sanctæ matris Ecclesiæ*, more strongly asserted then in the Contexture and Imposition of that Covenant.

But those two Divines lived to recover their Allegiance, and a due sense of their Oaths for it, and to see that *fætus* of their Brain, that at its solemn Christning they wish'd immortality to, renounced publicly as a spurious Birth; and to the Scandal of that Age, a race of other Oaths in England as infamously born, intercept its inheritance.

Nay, let me tell you, that in the Nation of Scotland, Loyalty hath been a growing Plant of Renown since the year 1660. and the Idol of their former Covenanted Presbytery been by the Loyal Nobility and Gentry and Populace there generally abhor'd. And tho Sir George Wharton in his
Gesta

Gesta Britannorum relates it as a strange thing that on the 21st of August, A. 1663. the Parliament of Scotland Pass'd an Act for a National Synod, the first that ever was in that Kingdom under the Government of Bishops; yet I can tell you of an Act of Parliament that pass'd there afterward, that declared the right of the Crown to dispense in the external Government of the Church.

I shall entertain you with it out of the Scotch Statutes, viz.

In the first Session of the Second Parliament of King Charles the Second, there pass'd an Act asserting His Majesty's Supremacy over all Persons, and in all Causes Ecclesiastical.

Edenburgh, November 16th 1669.

The Estates of Parliament having seriously considered, how necessary it is, for the Good and Peace of the Church and State, That His Majesty's Power and Authority, in relation to Matters and Persons Ecclesiastical, be more clearly asserted by an Act of Parliament; Have therefore thought fit it be Enacted, Asserted and Declared, Like as his Majesty, with Advice and Consent of his Estates of Parliament, doth hereby Enact, Assert and Declare, That his Majesty hath the Supreme Authority and Supremacy over all Persons, and in all Causes Ecclesiastical within this his Kingdom; and that by virtue thereof, the Ordering and Disposal of the External Government and Policy of the Church doth properly belong to his Majesty and his Successors, as an inherent Right to the Crown: And that his Majesty and his Successors may Settle, Enact and Emit such Constitutions, Acts and Orders, concerning the Administration of the External Government of the Church, and the Persons employed in the same, and concerning all Ecclesiastical Meetings and Matters to be proposed and determined therein, as they in their Royal Wisdom shall think fit. Which Acts, Orders and Constitutions, being recorded in the Books of Council and duly published, are to be observed and obeyed by all his Majesty's Subjects, any Law, Act, or Custom to the contrary notwithstanding. Like as his Majesty, with Advice and Consent aforesaid, doth Rescind and Annul all Laws, Acts and Clauses thereof, and all Customs and Constitutions, Civil or Ecclesiastick, which are contrary to, or inconsistent with, his Majesty's Supremacy, as it is hereby asserted, and declares the same void and null in all time coming.

A. You told me before how the King dispens'd with the five Articles of Perth, settled by Act of Parliament; but this Act yields so great a territory to the Dispensative Power, that my thoughts cannot suddenly travel through it. It acknowledgeth in the Crown a more sublime Power than of dispensing with Presbyterians or Independents, or of suspending the Penal Laws against them, namely of abolishing Episcopacy, and of making Presbytery or Independency the National Church-Government.

Car tel est notre plaisir now for the external Form of Church-Government, is allow'd to make the Pattern in the Mount. And if accordingly as Mr. Baxter in his Book call'd a Search for the Schismatics, represents Archbishop Bramhal's new way of asserting the Church of England in his Book against him, 1. To abhor Popery. 2. That we all come under a foreign spiritual Jurisdiction, obeying the Pope as the Western Patriarch, and also as the Principium Unitatis to the Universal Church; governing by the

Canons,

Canons, &c. may not the *King* by this *Act* make the external Government of the Church of Scotland *Patriarchal*, and the *Pope* *Patriarch*?

B. The *Act* needs no Comment: and if you will tell me that the *Scots* shew'd themselves *Erastians* or *Latitudinarians* when they made it, I shall acquaint you that that *Archbishop* in his *Schism guarded*, p. 319. asserts, That a *Sovereign Prince* hath Power within his own *Dominions* for the *Publick* good to change any thing in the external Regiment of the Church, which is not of divine Institution, and that he had in p. 4. of that Book, allow'd the *Pope* his *Principium unitatis*, and his *Prebeminence* among *Patriarchs*, as *S. Peter* had among the *Apostles*; and that in p. 78. of his *Just Vindication of the Church of England*, he takes notice that by the *Statute of Carlisle*, made in the days of *Edward the First*, it was declared, That the *Holy Church of England* was founded in the *Estate of Bpelay* by the *Kings* and *Peers* thereof.

But now further to entertain your thoughts with the great Scene of the *New Heaven* and the *New Earth* in that Kingdom, and of Men there walking at liberty, as the words in the *Psalms* are (or at large, as 'tis in the *Margin*, and as in the *Latin*, indefinenterque ambulabo in ipsa *LAC- TUDINE* quia mandata tua quaero) whose measures were before staked down to the *Narrow tedder* of *Presbytery*, and whose Souls were once enslaved to a blind Zeal for that Church-Government (as what they then fancy'd to be the putting the *Scepter* into *Christ's* hand, and the only efficacious means to keep out *Popery*) I shall tell you that they have now put the *Scepter* into their *Prince's* hand to rule the Church with what external Government he will, who were formerly so ready to enslave both Kingdoms, by designing to put the *Royal Scepter* of *Scotland* into the *French King's* hands, and to bring a *Popish French Army* into *Scotland* to enforce the settlement of *Presbytery*.

A. One would hardly think it possible that they should then design any such thing.

B. As the *Civil Law* rangeth things that wound mens *Piety*, *Reputation*, or good *Manners*, among *Impossibles*; so one would think those of the *Scots* then designing a thing of that Nature, to be an *Impossibility*. And any one would thus think it impossible, who consider'd that the *Crown of England*, A. 1560. sent *Forces* into *Scotland*, whereby the *French* were driven out of that Kingdom, and that thereupon in the *Publick printed Prayer* prefixt to the *Scots Psalm-Book*, it is said, viz. And seeing that when we by our own Power were altogether unable to have freed ourselves from the tyranny of *Strangers*, thou of thine especial goodness didst move the hearts of our *Neighbors* (of whom we had deserv'd no such favour) to take upon them the common burden with us, and for our deliverance not only to spend the lives of many, but also to hazard the *Estate* and *Tranquillity* of their *Realm*; grant unto us, O *Lord*, that with such reverence we may remember thy benefits receiv'd that after this, in our default we never enter into hostility against the *Realm* and *Nation* of *England*. Suffer us never, O *Lord*, to fall to that ingratitude and detestable unthankfulness, that we shall seek the *Destruction* and *Death* of those whom thou hast made *Instruments* to deliver us from the tyranny of merciless *Strangers*, &c. But he who shall read *King Charles the First's Declaration* concerning his Proceedings with his Subjects of *Scotland* since the *Pacification* in the *Camp* near *Berwick*, Printed A. 1640. will find this *Fact* too true: and the *Letter* there likewise Printed, which was under the hands of the *Leading* men of the *Presbyterian Faction* in *Scotland* writ to the *French King*, and wherein his assistance is implored.

E

A. But

A. But by that *Act* about the *Supremacy* in *Scotland*, A. 1669. that you read to me, I see that *the old Leaven of Presbytery* is there sufficiently *purged out*, and that the very *mass* of *Blood* in mens *Principles* relating to the *Regal Power* is universally *sweeten'd*.

B. You have great reason to judge so; and if you had read the *Scotch Statutes* since the year 1660, you would find the *Body* of that *Nation* having the *temperamentum ad pondus* for *Loyalty*.

And your having mention'd the *old Leaven* there *purged away*, minds me of minding you that that *Nation* having so nobly discharged its moral offices in that *Case*, ought to be *absolv'd* in the thoughts of all the *Loyal* from the *Fact* of its former deflection from *Loyalty*: and that the great measures of *Christian Charity* ought to extend beyond that Judgment of *Seneca*, that *pœnitens est fere innocens*, and even as far as *S. Paul's* generous discharge of the *Corinthians* on their having *purged out* that *ferment*, viz. *For behold what carefulness it wrought in you, what clearing of your selves, yea, what indignation, yea, what fear, yea, what vehement desire, yea, what zeal, &c.* In all things ye have approved your selves to be clear in this Matter. Look on their *Acts of Parliament* in the time of *K. Charles the Second*, by one of which it is declared, That his Majesty his Heirs and Successors, by Virtue of the *Royal Power* which they hold from *God Almighty* over this Kingdom, shall have the sole Choice and Appointment of *Officers of State*, and *Councillors* and *Judges*; and by another, That the *Estates of Parliament* considering that the *Kings* of this *Realm* deriving their *Power* from *God Almighty* do succeed *Lineally* thereunto. And I can direct you to another, that contains in it so strange a *Resignation* to the *King's* measures, as may make you again wonder at the possibility of such a temper, and not to be equall'd by any thing I have read of, but that *pang* of *Zeal* wherewith so many once at *Cambridge* were affected for *Edward the Senior*, when they swore *to will what he willed*; I mean that *Act of Parliament* in *Scotland* An. 1661. Concerning the *League and Covenant*, and discharging the renewing thereof without his Majesties Warrant and Approbation. The Act concludes with an Inhibition, That none presume to renew that *Covenant* or any other *League* or *Covenant* without his Majesties special Warrant so to do. Thus then that *Covenant* tho by them so much *nauseated*, they shew'd themselves ready again to swallow, if his Majesty for any such reasons of State, as they could not foresee, should enjoin them so to do.

A. You do indeed make me wonder at this great example of the tenderness and extent of loyal Obedience in *Scotland*.

B. I can tell you of another *Act of Parliament*, viz. the 5th Act of the second Session of the second Parliament of *K. Charles the 2d* *Edinburgh* 13. August 1670. The Act against *Conventicles*, where their very *Zeal* against them is a *Wall of Fire* to guard the *Dispensative Power*. The Act runs thus, Forasmuch as the *Assembling and Convocating* his Majesties Subjects without his Majesties Warrant and Authority is a most dangerous and unlawful Practice, prohibited and discharged by several Laws and Acts of Parliament under high and great Pains, &c. for the suppressing and preventing of which for the time to come, his Majesty with Advice and Consent of his Estates of Parliament, hath thought fit to Statute and Enact, &c. That no outed Ministers who are not LICENSED by the Council, Persons not Authorized or TOLERATED by the Bishop of the Diocess, presume to Preach, expound Scripture, or pray in any Meeting, &c. and that none be present at any Meeting without the family

mily to which they belong, where any not licensed, authorized nor tolerated, as said is, shall Preach, expound Scripture, or Pray, &c.

A. The Act for Uniformity here 16 Car. 2. doth justice to the *Prerogative* of the Crown in *dispensing*, by taking care that the *Penalties* in it shall not extend to the *Forreigners* or *Aliens* of the *forreign Reform'd Churches* allow'd or to be allow'd by the King's Majesty, his Heirs and Successors in England, and which were granted to them with *non-obstante's* to all Acts of Parliament.

B. And the Act 22^o Car. 2. entitled, *Seditious Conventicles prevented and suppressed*, passing in the *Parliament of England* in the same Year that the Act against Conventicles did in *Scotland*, and concluding with a *Proviso*, That nothing therein contained, shall extend to invalidate or avoid his Majesties Supremacy in Ecclesiastical Affairs, but that his Majesty and his heirs and Successors may from time to time, &c. exercise and enjoy all Power and Authority in Ecclesiastical Affairs, &c. any thing in this Act notwithstanding, shewed such a *Concordant* Sympathy between the two Realms in *tenderness* for the *prerogative* of *dispensing* with the *Penal* Laws Ecclesiastical, as is between the Strings of two distant *Lutes*, on the touching the String but of one of them. But I must tell you, that tho by this *Proviso* the benefit of the *Dispensative* Power hath been sufficiently secured to the Churches of *Forreigners* here, and the King's Ecclesiastical Supremacy justify'd in its power of *indulging* the Conventicles of all sorts of *Recusants*, yet as in the *Scotch* Act the Crown's *dispensing* with *Conventicles* hath been more *express* then in the *English* Act, so hath the *administration* of *Prerogative* in that kind been more tenderly and signally exercised in *Scotland*, then I have ^{since} observ'd it to be in *England*.

For I find in a Book call'd *A Compendious History of the most remarkable Passages of the last 14 Years*, &c. printed An. 1680. that in p. 205. the Author referring to the Month of July, 1677. saith, that upon a *Rebellion* in that Kingdom being nipt in the Bud, his Majesty was pleas'd to publish a *Proclamation*, Commanding the Judges and all Magistrates to apprehend and punish all such as frequented any *Field-Conventicles*, &c. according to the *Prescript* of the Law, as also to prosecute with all Legal Rigour the execrable *Murderers* of the late Arch-Bishop of St. Andrews: declaring withal that his Majesty being desirous to reclaim all such as had been mis-lead through *Ignorance* or *blind Zeal*, had according to the Power reserved to his Majesty by the 5th Act in the 2d Session of the 2d Parliament, suspended the execution of all Laws and Acts against such as frequent *house-Conventicles* on the south-side of the River Tay, excepting the Town of *Edinburgh*, and two Miles round the same, &c.

And the truth is, it must likewise be to the honour of that Nation acknowledged that in the worst of Times, they after their *Covenant* did not Contract any such guilt of *Perjury* by a *superfetation* of *enterfering* Oaths, as great Numbers of our Land did: and that they were exemplary to *England* in *Loyalty*, and in propping up the *hereditary* Monarchy, while so many here in the *Plott-Conjuncture* were infatuated with the *Project* of the *EXCLUSION*, as to give me occasion by a *fresher* instance, and but of yesterdays occurrence to invite you to behold a *Spectacle* of the divine Justice in abandoning such Men here to the guilt of *Superstition* who used unjust means to *extirpate* it.

Such among us who had not took notice of that *English* and *Scotch SAINTE LIGUE*, and its being so generally exploded, and who in the late *Ferment* about *Popery* would have fortify'd an *Exclusion* with an *Association*,

ciation, and again set up *Association* as of *Divine-Off-spring*, you see how being wild with excessive *Fears* and *Jealousies* of the growth of *Papery*, they were guilty of the *Superstition* of *founding Dominion in Grace*.

A. Considering how Men here have *laughed* at the *Obligation* of their *lawful Oaths*, and that for *unlawful Oaths* a *Land mourns*, methinks 'tis an *adventurous* thing for a Prince to take possession of his *Inheritance* of the *Empire* of such a Land so *encumbered* with the guilt of *Swearing* and *For-swearing*.

O when may we see that antient general *tenderness* in point of *Oaths* here, that flourished among us in the days of our first *Reformation*: nay even in some times of our *Roman Catholick Ancestors*!

B. I believe never, till after all the living here being resolved to dust, and a new Race of Mankind enriching themselves and their Country by the Culture of the Earth and Manufactures, men shall be above Temptations from necessity, to take God's Name in *vain*; and when the very use of *Oaths* Assertory or Promissory, will be *dispens'd* with by Nature.

I am sure the Spectacle of mangled and slaughter'd Bodies covering a Field immediately after a Battle hath not more horror in it, than the sight of the Consciences maim'd and wounded by the inobservance of *publick Oaths* hath been since the *Æra* of 41.

And as our *Chronicles* mention, that they who were born in England the Year after the great Mortality An. 1349. wanted some of their cheek Teeth, I may say that generally they who have been born here the Years after 41. wherein the *Plague* of *Perjury* by the outraging those *Oaths* of *Allegiance* and *Supremacy* was so *epidemical*, have seem'd able only to swallow those *Oaths*, but not to chew upon them in serious and considerate thoughts: no not at the very frequent times of their taking them.

And still tho in *speculative* Points in *England Consulitur de Religione*; yet *conclamatum est* as to a general tender regard to the *Religion* of those *Oaths*.

There was (I think) a want of *tenderness* in some as to their sworn assisting and defending all the *Priviledges* and *Preheminences* belonging to the Crown, during the late *Ferment* about my Lord Danby's Pardon: and I may more sadly reflect on the same Mens want of recollecting their *Oath* obliging them to the King his Heirs and Successors at the time of the *Ferment* about the *Exclusion*.

A. I think that many who by repentance have been cured of the *Epide-mical* *Plague* of *Perjury* that raged here in 41. and of such a *Plague*, and another of *Fears* and *Jealousies* since 81, have yet sustain'd more damage thereby, then they who were born the Year after 1349 did in wanting some of their *Cheek Teeth*; and that their case is like that of those who were recover'd of the great *Plague* at *Athens* that *Thucydides* hath described, and who tells us, that after their recovery, their *Souls* had lost the faculty of *Memory*, and were dozed with an *amnesia* about what themselves had done, or what had passed in the World during the horror of that very *Plague*, or before or since. But after all this said, I am to ask you if you will make all those *perjur'd* who having took the *Oaths* of *Allegiance* and *Supremacy*, promoted the exclusion?

B. By no means. I have more Humanity and Christian Charity then to do so. I shall here observe to you that *Divines* in their measures of Mens sinful Actions do often make use of the distinction of *materialiter* and *formaliter*. Thus for example, Ames in his *Cases of Conscience* l. 5. c. 53. *Si quis falsum dicit, putans esse verum, mentitur tantum materialiter. Si quis verum dicit, putans esse falsum, mentitur formaliter.* And he hav-

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ving before in l. 4. c. 4. viz. Of Heresy, made pertinacy a requisite to a man's being formally an Heretick, and said that *Pertinax est qui non est paratus Captivare intellectum & rationem suam omnem Sacrae Scripturae*, adds, *Hæreticus igitur potest esse quis materialiter, dum assensum præbet errori pernicioso, vel ex simplici facilitate aut temeritate hæreticis credendi qui sub honesta aliqua specie fallunt, vel ex ignorantia qui formaliter non est hæreticus: cum pertinacia & obstinatio animi deest, atq; adeo pro simpliciter hæretico non est habendus.* Concordant with these measures of Ames, have I observ'd those of some ingenuous Roman-Catholick Writers, who have declared that they will not pronounce all Protestants to be Hereticks formally.

And it is therefore no wonder that such their Judgment of Charity hath been retaliated by some of the most Renowned Divines of the Church of England, viz. the Lord Primate Bramhal, Bishop Taylor, Dr. Hammond and others, who have deny'd to pronounce the worshipping the Host to be formal Idolatry; that is to say, to be not so at all in reality, since we know that according to the trite Rule, *forma dat esse*.

And thus that Primate in his *Schism Guarded* saith very well for that purpose, p. 57. *Every one who is involved materially in a Schism is not a formal Schismatick, more then she that Marries after long expectation, believing and having reason to believe that her former Husband was dead is a formal Adulteress, or then he who is drawn to give Divine Worship to a Creature by some misapprehension, yet addressing his Devotions to the true God, is a formal Idolater.* And having there cited S. Austin of Heresy, *He who did not run into his error out of his own over-weening Presumption, nor defends it pertinaciously, but receiv'd it from his seduced Parents, and is careful to search out the truth, and ready to be Corrected if he find it out, he is not to be reputed among Hereticks; he saith, it is much more true of Schism, that he who is involv'd in Schism through the error of his Parents or Predecessors, who carefully seeketh after truth, and is prepared in his mind to embrace it whensoever he finds it, he is not to be reputed a Schismatick.*

I know Azorius de *Juramento* gives his Judgment well in this, *That when a Law is changed to which a man is bound by Oath, tho he is thereby materially discharged, yet formally he is bound in respect of his will: for if ever he actually assents to the alteration, he is really perjured.* And so leaving it to such who were Men of great Knowledge and Consideration, and had took the Oaths, and were ready to promote a new Law for altering the hereditary Monarchy; to think of the danger they incurred of the formal guilt of that Crime, I have more Charity then to conclude all the rash, and the incogitant, and the weak, and the seduced by the fantastick Interpretation of the Oath, to have been perjured.

But as about the year 1164. Thomas Archbishop of Canterbury was at a Council held at Northampton accused by the King of Perjury, and Condemned as guilty of it, because he had not observ'd those English Customs that he was sworn to (as I find *Francisc. Long. de Concil.* p. 806. Col. 1. cited for it) so if you have taken the Oath of Supremacy, and Sworn to defend all the Privileges and Preheminences granted or belonging to the King, his Heirs and Successors, and united to the Imperial Crown of this Realm, and are of opinion that one of the Privileges of those Heirs and Successors is to succeed to that Crown as it comes to their turn according to Proximity of Blood, and by their inherent Birth-right, and as the Hereditary Succession *jure Coronæ* is settled by the Common Law of England, I shall tell you that the Pious and profoundly Learned Divine Dr. Hicks, who hath study'd this Point as much as any man, hath in his Writings told you that having

taken this Oath, you could not honestly consent to a Bill of Exclusion, which would have deprived the next Heir (and in him virtually the whole royal Family) of the chief Privilege and Preheminence that belong'd to him by the Common Law of this Realm, &c.

Your Curiosity (I believe) hath led you to read over his learned *Jovian*, and to observe what he there saith in his Preface, that some Men did pervert the meaning of the word Heirs in the Oaths of Allegiance and Supremacy, from its common and usual acceptation to another more special, on purpose to elude the force and Obligation which otherwise they must have had on the Consciences of the Excluders themselves.

But it is not only the Authority of this single great Divine that I can lay before your thoughts for the rendring the Attempt of the Exclusion contrary to our Oath: but I can direct you to the censure of the three Estates of a Loyal Nation, and of His late Majesty in the case. For the Oaths in Scotland, binding the takers both to the King and his Heirs and Successors as ours do here, I can tell you that in the Third Parliament of King Charles the Second, Aug. 13. 1681. you will find the Act in these words, viz. The Estates of Parliament considering that the Kings of this Realm deriving their Royal Power from God Almighty alone, do succeed lineally thereto, according to the known degrees of Proximity in Blood, which cannot be interrupted, suspended, or diverted by any Act or Statute whatsoever, and that none can attempt to alter or divert the said Succession without involving the Subjects of this Kingdom in Perjury and Rebellion, &c.

I know that during the late *turbid interval* of the Nation, some Loyal men of the Church of England were so much misguided, as to think that because *de facto* Parliaments have heretofore directed and limited the succession of the Crown in other manner, then in course it would otherwise have gone (as the words in the Printed Exclusion-Bill were) they might therefore of right do so again; notwithstanding they knew that after the Parliament of King James to prevent the Right of Succession from fluctuating any more, had justly recognized and declared, That the Imperial Crown of this Realm, and Rights belonging to the same, did by inherent Birth-right and lawful and undoubted Succession descend and come to him, as being lineally, justly and lawfully next and sole Heir of the Blood Royal of this Realm, it did afterward by a New Oath of Obedience or Allegiance, oblige mens Consciences both to the Crown and the hereditary lineal Succession, and notwithstanding they knew that that Parliament had took care of continuing the Obligation of the Oath of Supremacy for the bearing Faith and true Allegiance to the King, his Heirs and lawful Successors, and to assist and defend all Privileges, and Preheminences and Authorities granted or belonging to the King, his Heirs and Successors, &c.

But I doubt not but the Consciences of the Considerate Loyal, now expostulating with them in the cool of the day, whether they did then well in being angry with the Imposers sense of their Oaths, and in not penetrating into the Obligations thereby incurred; and particularly in not weighing whether such who had taken those Oaths, and yet by Projects and Expedients would have banish'd the Heir even after he should come to be Actual Successor from the effects of their Sworn Allegiance, and of their Sworn Assistance and Defence of all Privileges and Preheminences and Authorities granted, or belonging, &c. had not visibly out-ran their Oaths, they will recollect the late dreadful want of tenderiess for the observance of the same.

It will be hard for many men on a serious Self-examination to reflect otherwise on themselves, after that Sir W. J. himself (as the *Printed Speeches* in the *Oxford-Parliament* have it) call'd an *Expedient* of that kind *Jesuite's Powder*, and mentioned that *on the Heirs coming to the title of King, the learned Lawyers say, that by 1. H. 7. all Incapacity is taken away by the Possession of the Crown*, and after that another learned Lawyer had there said, *I owe the Duke Obedience if he be King: but if he be King and have no Power to Govern, he is the King and no King*: and had before said, *That an Act of Parliament against Common sense is void. To make a man King, and not suffer him to exercise Kingly Power, is a Contradiction.*

And I am sure 'tis a Contradiction to nothing more then our Oaths.

I desire not by referring to the *breach* of those Oaths to touch the *tenderness* of any man's *fore place*, or to reproach him as to what he hath done for the time past; but to promote the *tenderness* of his *Conscience*: and that his *Conscience* may not *reproach him* for the time to come, for not *assisting* and *defending* all *Privileges* and *Preheminences* belonging to the *Crown*.

When I consider the noble and vigorous *Loyalty* that your self and others who were mistaken in the Point of the *Exclusion*, have since shewn in the Service of His gracious Majesty, and the great Care that you and they in the Post where you were, took in the Settlement of his Revenue, and of avoiding the *Character* of those of *Israel*; who brought their newly anointed King no *Presents*; and your readiness at his call to venture your life for the support of his Crown: and do observe in you and them a fix'd *Preparation* of mind for the *defence* of every *Privilege*, that is made to appear to you as *belonging* to the *Crown*, and that your *Loyalty* like a bone well sett is the firmer for having been broken, I account that the *Si non errasset, fecerat ille minus*, may be apply'd to you, and that after His Majesty's Pardon and the *Series* of your Heroical Actions of *Loyalty* in his Service, you ought by all equal Judges, according to the Instance I mention'd before, to be absolv'd, as who *in all things have approved your selves to be clear in this Matter.*

And I believe you being one of the *Church of England*, the *Adherents* to which do now as generally call themselves *The Loyal*, as the *Independents* did once vociferate themselves to be *The Saints*, and the Principles of which Church do enjoyn Remorse and Penitence, and *rending of the heart*, and as much *tenderness* to any who have *disrobed* the *Crown* of any of its *Rights* and *Privileges*, as was in *David* when his heart smote him *because he had cut off the skirt of Saul's Garment*, and whose *Divines* do not only Preach the *Doctrine* of *Non-resistance*, but whose *Oaths* bind to it, and that of *Supremacy* binding to a positive *Assistance* of all *Privileges*, &c. your enlighten'd *Conscience* will be your constant Remembrancer against any relapse.

A. I thank you for thus gently leading me by the hand to such a height of Noble thoughts relating to that *Oath*, as from whence I am able to look back with grief on my past aberrations through inadvertence, from what my *Oath* obliged me to in relation to the Support of the *hereditary Monarchy* (and concerning which *Obligation*, the *Casuistical Discussion* you sent me did sufficiently illuminate me) and to take a prospect into my duty that lies before me to *assist and defend to my Power all Jurisdictions, Privileges, &c. granted or belonging to the King's Highness, &c. or united and annex'd to the Imperial Crown of this Realm.*

I am sensible that as some vain Swearers in common Discourse, will upon their being occasionally reproved for it, be apt to swear that they did not swear,

swear, and that as there are *Fools* that say in their Souls that *there is no God*, and that *there is no Soul*; so there is a sort of careless men who having taken this great *Promissory Oath*, will yet by their Actions deny their having sworn to assist and defend some of those Privileges, and likewise be apt to say in their hearts they have not invoked God as *Witness* and *Revenger* in the case of that Oath, and that they are not absolutely bound by it, or but only by their reserved sense; or as if a man representing his Country, he were only to take a kind of formal Oath *in animam Domini*, and not to venture his own Soul.

But for my part, I account it as *vile* to be *perjured* in a solemn *Promissory Oath* as in a judicial *Affertory* one; and shall hereafter think my self as much bound to use all exactness and tenderness in the recollection of my thoughts after a *Promissory Oath*, as every Man of Honour doth before an *affertory Oath* when he is a witness in a Court of Law. And I think that it is only the *multitudo peccantium* about solemn *promissory Oaths*, as for example, about the promised *assistance* and *defence* of the *Privileges* of the Crown in the *Oath of Supremacy*, that diminisheth the Shame and Ignominy of mens being either through corrupt affections or incogitancy (and the *crassa negligentia* which the Law makes to be *dolus malus*) *Vacillant* or *Contradictory* in the *Series* of their *actings* promised, or through *lachesse* or subdalous pretences withholding their performance of part of what they obliged themselves to do; and that keeps the *populace* from a *nauseous* looking on them as *falsarii*, and as much as on Witnesses produced in Courts, who in the things asserted by their Testimony are for want of precaution of thought, *varii & vacillantes* and contradictory to themselves, and minglers of Falshood with truth, and who conceal part of the whole truth they were to depose.

B. There is another thing that makes the *Moral* offices required in an *Oath Promissory* call for some kind of Consideration, that an *Oath Affertory* doth not: for we are not to depose of *Matter of Law*, but only of *Fact*: but in the *Promissory* parts of the *Oaths of Supremacy* and *Allegiance* our thoughts are obliged to have regard to *Matters of Right and Law*. We are to our *Power to assist and defend all Privileges and Prebeminences GRANTED or BELONGING to the King, &c. and which ARE united to the Imperial Crown of this Realm*.

A. But by this means, while you would have men keep up the *ease* of their *Consciences* by such *assistance* and *defence*, will not they be put to it to make their lives *uneasy*, by buying *Law-Books*, and being *Students* of the *Crown-Law*, and of the *extent* of the *Regal* rights; a thing never intended by the *Makers* of the *Laws* for those *Oaths*, and whereby such who are to *assist* and *defend* the *Rights* of the *Crown* by *Action* in *Land* or *Sea-Service* would be hinder'd therein by *Speculation*?

B. No man need amuse himself about any such matter. Nor are our *Princes*, who by their *Coronation Oaths* oblige themselves to defend all our rightful *Laws* and *Customs*, bound thereby to study the *Report-Books* of the *Law* concerning the *Rights* and *Properties* of their *Subjects*, and whereby the time of *Princes* would be taken up from defending them. And I shall tell you, that tho all men are morally bound to frame the best *Conceptions*, and make the truest representations of the *Divine Nature* they can, and which by the measures of the *Scripture* is comprehended under our *Duty of glorifying God*; yet not to study the *Controversies* between the *Remonstrants* and *Contra-Remonstrants* about the absoluteness of the *Divine Decrees*, and *Dominion*, or whether God according to his absolute *Dominion* can torment an innocent Creature.

And

And thus tho we are bound to honour God's Vice-gerents, and to *assist* and *defend* their *Rights*, *Privileges*, and *Preheminences* we are not to consume our whole lives in the investigation of Truth in the *Moot-Points* about the same.

But as to this thing, that great *Casuis*t of the Age, Bishop *Sander*son, may help to set us right in his *Third Lecture* of *Oaths*, Sect. 17. where putting the *Case* when Subjects are required to take an *Oath* for *Preservation* and *Defence* of *Laws* and *Liberties*, *Privileges*, *Prerogatives* and *Preheminences* of some *Superior Power*, as of a *King*, a *Common-wealth*, or *Lord Paramount*, such as are among us, the *Oaths* of *H. mage*, of *Royal Supremacy*, &c. he saith, *No man denies these Oaths to be lawful or obligatory: but in respect of the frequent uncertainty of the Laws whereunto they relate, it may very well be doubted how far they oblige. Doubtless the Subject to his Power is obliged to defend all Rights which appear either by Law or Custom Legitimate, whether defined by the written Law, or in force through long use of time, or prescription, that is, so far as they are known, or may morally be known. But he is not equally obliged to the observation of all those which are Controverted or doubtful, especially since Powerful men are accustomed to stretch their tenders, and leap over the Land-marks of their Neighbours, not contenting themselves within the bounds of their own Right. Nevertheless a Subject ought always to be prepared in Mind so soon as the justness of those things which are doubtful shall appear, to a knowledge and defend them.*

It may be hence rationally deduced that such who are call'd to the *Helm of State*, or are *Members of Parliament*, if any Matters relating to any *Jurisdctions*, *Privileges*, and *Authorities* granted or belonging to the *Crown* shall come in question before them, are by *virtue* of the *Oath* of *Supremacy* bound to endeavour to know whether those *Jurisdctions*, *Privileges*, and *Authorities* are granted, or do belong to the *Crown*, that is, so far as they are known or may morally be known before they refuse to *defend* and *assist* them: and much more before they shall do any act of offending or resisting the same, and before they shall entertain any hard thoughts of their *Prince* for claiming this or that *Privilege*. And where the *right* of any *Jurisdctions*, *Privileges* granted or belonging to the *Crown* is not *Controverted* or *doubtful*, that *Oath* binds them immediately to *assist* and *defend* the same, and not so much as to move any thing against them, except in some such case as I shall presently mention.

A. Did ever any *Parliament* presume to destroy, or offend or usurp upon any *Privilege*, or *Preheminence*, or *Authority*, of which the *Right*, as belonging to the *Crown*, was not controverted?

B. Yes, the long *Parliament* of 40 did so. The *Power* of the *Militia* was acknowledg'd by the *Parliament's Petition* at *Windsor* to be a flower of the *Crown*. And therefore the *Royal Martyr's* dying *Breath* might (one would think) be *Thunder* to their *Consciences*, when in his *Speech* on the *Scaffold*, he said, *I never intended to intrench upon their Privileges. They began upon me. It is the Militia they began upon. They confess'd that the Militia was mine; but they thought fit to have it from me.*

No doubt such men intended to entrench on the *King's Privileges* and *Preheminences*, and they intended to violate their *Oath* of *Supremacy*.

A. Did they offend any other *Uncontroverted Rights* of the *Crown*?

B. Many more then I have now time to name; but cannot forget the fatal *Consequences* of their outraging one of those *uncontroverted Rights* which was at the *King's Pleasure* to *Prorogue* or *Dissolve Parliaments*, by putting such incessant hardships on that *Pious King* to engage him to pass the *Act* that that *Parliament* should continue till both the *Houses* did con-

sent to the dissolution of it; and of which Mr. *Hobbs* in his *Behemoth*, saith, that it amounted to a total Extinction of the King's Right, in case that such a grant were valid, which I think it is not, unless the Sovereignty it self be in plain terms renounced, which it was not.

And he having said, That the King signed that Bill the same day he signed the Warrant for the Execution of the Earl of *Strafford*, and having rais'd the Question, Whether the King could not have saved him by a Pardon, and said, that he would have done it if that could have preserv'd him against the Tumults rais'd and countenanced by the Parliament it self, doth mind me of the horror of those days, when they who were Sworn to assist and defend the King's Privilege and Preheminence in Pardoning any one, tho he knew him justly Condemned to dye, did endeavour by Tumults to oppose his Pardoning one whom he thought not to have deserv'd Death.

That Royal Privilege was in like manner by that Parliament trampled on in the Case of the Pardon of Archbishop *Laud*.

A. I shall here by the way ask you if you did not once tell me that the most profound Observers of the Affairs in *Ireland*, had agreed in it as their firm Judgment, that the *Irish* Rebellion had never happen'd if the Parliament of 40 here had not meddled in the Case of the Earl of *Strafford*, and occasion'd his removal from being chief Governour of *Ireland*.

B. I shall by the way answer you, that I did tell you so, and that they judged that the Character of that Earl's great Wisdom and Courage, and Activity, and of universality in his Correspondencies, had gain'd such an Ascendant over the Genius of the *Irish*, that if he had continued Lord Lieutenant of that Kingdom in his former Power, they would not have ventured to rebel.

A. You have instanced in Uncontroverted Privileges of the Crown that that Parliament did offend and resist, by their putting such incessant hardships on their King, as your words are; and it was folly as well as breach of their Oath for them thus to strike at the Pardoning Power of the Crown that is the Privilege both of King and People. Yet let me ask you whether you account that he who in any case shall endeavour that by the Legislative Power any uncontroverted Jurisdiction, Privilege, Preheminence, or Authority granted or belonging to the Crown may be alter'd or restrain'd in its exercise, breaks his Oath? Did that Parliament do so who made the famous Act for barring the known Privilege of *Nullum tempus Occurrit Regi*, I mean, that glorious Act of 21^o of King *James* the First, C. 2. of which the Title is, Conceal'd Lands shall not be Recover'd, unless it may be proved that the King had title to them within 60 years; i. e. 60 years before the 19th of February in the 21st year of King *James* the First, which was the day of the beginning of that Parliament, and on which Statute my Lord *Coke* hath an excellent Comment in *Instit.* 3. C. 87. against Concealors (*turbidum genus hominum*) and all pretences of Concealments whatsoever; and on occasion of which Act it is yet acknowledg'd in the Book call'd, *The Court and Character of King James*, written by Sir A. W. and Printed A. 1650. that that King loved good Laws, and had many made in his time, and in his 1st Parliament, for the good of his Subjects, and suppress'd Promoters and Propping Fellows, gave way to the *Nullum tempus*, &c. to be confined to Sixty years, which was more beneficial to the Subjects in respect of their quiets, then all that Parliaments had given him during his whole Reign?

Or did the late Kings Loyal long Parliament do so in their obtaining the Act for the *Habeas Corpus*, and others that might be named?

B. Having

B. Having premised it to you that those words in the Oath of assisting and defending ALL Jurisdictions, ALL Privileges, &c. are operative words, and of strict Interpretation, and whereby we stake our Eternities to assist the King's Temporal Rights, and invoke God so to help or assist us as we shall assist all those Privileges, and that the Prince and the Church being *in y civil law writers* look'd on as Minors, the breach of an Oath to defend the Privileges of the King must appear to common sense as odious as if any Guardian of a Minor did break an Oath to defend his Person and Interest, or did take part with any to destroy the Minor's Rights; I shall yet be so fair as to tell you that I do not so account it: provided that he who shall do so shall have a moral certainty that the Prince being sensible that the alteration or restraint of such Privilege will be very beneficial to the Subjects both in the present and future times, and necessary to the enabling them the better to support the Crown, hath signified his desire of the same, and doth so desire it: or if he knoweth not his Princes so desiring it, believes that the Cogency of the Reasons he hath humbly to offer for such alteration being made, is such as may Incline others to supplicate the Prince to consent to it, and the Prince so to do.

Yet in this latter case, if afterward the Sovereign notifies his desire of the continuance of such known Privilege, I am then by my Oath to assist and defend the same, and am not to the Cogency of my Reasons to add that of Importunity. For there is a *par* or proportion between importunity and force; whence we see that according to the King's Ecclesiastical Laws, in case of a former will, a latter gain'd by *importunæ preces* in the time of the Testator's Sicknes, is often adjudged void. And as I am not by importunity when my Princes Affairs are in a Sickly state, or that the Die of War hath ran against him abroad, to press and tire him then into a parting with his known Privileges, so neither with a *Salvo* to my Oath, which binds me to assist and defend them, can I if I find his Judgment or Mind sickly, lay Temptations before him to buy him as it were out of a Privilege that is just and adviseable for him to keep. I am neither to starve nor pamper my Prince out of such a Privilege. Nay more, if my Prince did by any Error part with any such Privilege, as not knowing the same to be inherent in the Crown (as in the Case of an Answer of the Royal Martyr drawn by one of his Ministers not deeply vers'd in the Law, to some of the Parliaments Propositions, by which Answer he is acknowledg'd to be one of the three Estates) I, who know that the Privilege and Preheminence inherent in his Crown is to be above them all, and have in the Oath of Supremacy Sworn that the King is the only Supreme Governour, and so none Co-ordinate, or equal to him, I am to take no advantage of that error, but am still to assist and defend such his Preheminence.

And if ever a Prince did by fear part with such Privilege or Preheminence, there being a *par* between fear and force, according to that Law of the Prætor in the Digests, *Quod vi aut metu factum est ratum non habebit* (and in which Law, as Baldus saith, the Prætor was inspired by the Spirit of God) I am not only not to take any advantage of such act of the Prince done by fear or force, or to upbraid him therewith, but am still to assist and defend such Privilege so derelinquish'd by him, and am to account the same belonging to him as the word is in my Promissory Oath, and to account him still in Law possess'd of the same, according to the rule of *Possessio etiam animo retinetur*: and which is justly apply'd in the Case of any one who in a Storm at Sea throws his Goods over-board to lighten the Ship.

His late Majesty therefore did but right to himself, when in his Declaration of the 25th of October, 1660. Concerning Ecclesiastical Affairs, he took
notice

notice how some had caused to be Printed and Publish'd in England a Declaration before Printed in his Name when he was in Scotland, (i. e. referring to the Declaration Printed at Edenburgh, 1650.) and saith thus of it, viz. Of which we shall say no more, then that the Circumstances by which we were enforced to sign that Declaration, are enough known to the World: And that the worthiest and greatest part of that Nation did even then detest and abhor the ill usage of us in that particular when the same tyranny was exercised there by the Power of a few ill men, which at that time had spread it self over this Kingdom, and therefore we had no reason to expect that we should at this season when we are doing all we can to wipe out the memory of all that hath been done amiss by other men, and we thank God have wiped it out of our own Remembrance, have been our self assaulted with those reproaches, which we will likewise forget.

And it was goodness worthy the great Soul of a King to forget the Outrages of such who did strip their Political Father of his Power, and then reproach him with his nakedness.

I may here likewise tell you (and not *mal a propos*) how much the patience and long-suffering of the same Prince was exercised in a late Conjunction that so much eclipsed his Prerogative in the Case of the Earl of Danby's Pardon, and when the Commons did set up against it somewhat in his Father's Answer to the 19 Propositions before mention'd, that nothing but the tempest of the Age in the Parliament of 40 could have occasion'd, viz. Since therefore the Power legally placed in both Houses of Parliament is more then sufficient to restrain the Power of Tyranny, &c. But because a Parliament so perpetuated as that was, did prove more then sufficient to restrain pretended Tyranny, and real just Government, will a considerate man say any such thing now, when the breath of Prerogative can dissolve them in a moment, and in that moment all their thoughts perish, and all the high-flying thoughts that would soare above Imperial Power be found dead in the Nest?

And I may here tell you, that in the Answer of some Nonconformists to Dr. Stillingfleet's Sermon (an Answer Printed in London in the year 1680. during the ferment about the Plot, and wherein they desire Indulgence) I think their attacking the Service on the Gun-Powder Treason Plot, in thanking God for Preserving the King and the Three Estates of the Realm assembled, by saying, That the late King made no scruple in his Answer to the 19 Propositions to reckon himself one of the three Estates, was a thing that on recollection they will judge ought not to have been done.

But I am here further to tell you, that though it may be consistent with our Oath in some such case as was mention'd, to endeavour the altering by the Legislative Power some uncontroverted Privileges of the Crown, and in such a way as I have mention'd, I likewise wish you in your thoughts to make a distinction of those Privileges or Prebeminences belonging to the Crown, that are absolutely Essential to its Preservation, and to that of the whole Realm, and which are by God and the Law put as a Depositum into the hands of Kings, and the removing of one of which would have the effect of taking a Stone out of an Arched Building, and such as no Sovereign Princes can be without; and such as our Princes have in their flourishing Reigns to the great content and happiness of their People always exercised, and Rights (as the late Earl of Shaftsbury said of that of the Flagg) that our Princes cannot part with: and Privileges that are not such: and two of which former sort of Privileges, and which are parts of the Fundamental Laws of the Kingdom, I account we are expressly in the Promissory Clause of that Oath Sworn to defend, and assist, namely of the
lineal

lineal Succession to the Crown, and of the King's *Prerogative*; and of which *Prerogative* we have this Description in *Blount's Law-Dictionary*, That the *Prerogative of the King* is generally that Power, Preheminence, or *PRIVILEGE* which the King hath over and above other Persons, and above the ordinary Course of the Law, in the Right of his Crown: And then adds, *Potest Rex ei, lege suæ dignitatis, condonare si velit, etiam mortem promeritam. LL. Edw. Confess. cap. 18.* and then saith, that *Spelman* calls it the *Lex Regiæ dignitatis*.

The Author of the *Law-Dictionary* had there his eye on the Law of *Edward the Confessor*, where under the title of *Misericordia Regis & Pardonatio*, it is declared, that *si quispiam forisfactus* (which the *Margin* interprets *rei Capitalis Reus*) *poposcerit Regiam misericordiam pro forisfacto suo, timidus mortis vel membrorum perdendorum, potest Rex ei, lege suæ dignitatis, condonare si velit, etiam mortem promeritam; ipse tamen malefactor rectum faciat in quantumcunque poterit quibus forisfecit, & tradat fidejussores de pace & legalitate tenenda, si vero fidejussores defecerint exulabitur à Patria.*

And I remember there is a famous *Act* relating to the old *Privileges* and *Prerogatives* of the Crown and to their resumption by the Crown, *viz.* The *Act* of 27. *H. 8. c. 24.* call'd, *The Recontinuing of certain Liberties* taken from the Crown; and it begins with saying, that whereas divers of the most ancient *Prerogatives* and *Authorities* of Justice appertaining to the Imperial Crown of this Realm have been severed and taken from the same by sundry Gifts of the King's most Noble Progenitors, to the great diminution and detriment of the Royal Estate of the same, and to the hinderance and great delay of Justice; and thereupon saith, for Reformation whereof be it Enacted by Authority of this present Parliament that no Person or Persons, &c. shall have any Power or Authority to pardon or remit any Treasons, Murders, Man-slaughters, or any kinds of Felonies, nor any Accessories to any Treasons, Murders, &c. or any Out-laries, for any such Offences aforesaid, committed, perpetrated, done, or hereafter to be committed, done, or divulged by or against any Person in any part of this Realm, &c. but that the King's Highness, his Heirs, and Successors, shall have the whole and sole Power and Authority thereof, united and knit to the Imperial Crown of this Realm; as of good RIGHT and Equity it appertaineth, &c. and then orders all *Writs* in a County *Palatine* to be made in the King's Name, &c.

That *Statute* doth give you a *Prospect* of great variety and use in order to the Settlement of your thoughts about some things in your *Oath*. You there see the Natural recourse of the Royal Rivers of *Prerogative* to the Ocean from whence they came; and when you there find that the Crown could communicate to Subjects the exercise of the *Prerogative* of Pardoning Murder, however restrain'd by *ACT* of Parliament, and all the dreadful *Disabilities* incurr'd by Out-laries for *Felony* and *Treason*, you are not to wonder at any ones telling you, that the King himself hath the *Privilege* of Pardoning a *Disability* incurr'd by Law for *Heterodoxy* in Religion: and especially when you shall see the whole and sole Power of Pardoning the same united and knit to the Imperial Crown of this Realm, as of GOOD RIGHT and EQUITY appertaineth. And according to those words in your *Oath* about your defending all the Rights and Privileges united and annex'd to the Imperial Crown of this Realm, you are to defend that great Royal Power of Pardoning, and which our Ancestors in *Harry the 8th's* time thought so essential to Publick Justice.

And therefore you will still do well to remember that your sworn *defence* and *assistance* of all the *Privileges* and *Prebeminences* of the Crown doth more particularly bind you in the Case of these *fundamental* ones to put no *hardship* on our *Princes*, nor yet to use any softness of *Allurements* to tempt them to renounce them. The Countryman, who being by his *Physician* prescribed some *Grains* of *Laudanum*, and desiring a greater quantity of the *Apothecary*, and saying, *Shall I have no more for my Money?* and whereby he would have been *Poyson'd*, was not less Sagacious then such Senators who by *Subsidies* would engage any Prince to part with so much of his *Prerogative* as wou'd destroy the *Body* politick.

Alas; as for several *uncontroverted* Rights of the Crown of an *inferiour* Nature, as our Princes have been ready enough in all Ages to part with them for the good of their People, and their own promoted thereby, and have had grateful returns from their Parliaments by *Subsidies* on such an account, so none need fear but that in all future times succeeding Monarchs will that way be as indulgent as the former ones were; and that as *Solomon* saith, *the King himself is served by the Field*, and the *Plough* having here variously supported the *Throne*, and particularly by the robust *Infantry* it hath yielded to serve the Crown in Arms; the *keeping up* of the *Spirits* of our *Yeomen* (and likewise of those who *Plough'd* the *Sea*) by the *Liberty* our Laws allow'd them, and the *Crowns* being no *gravamen* to the Body of the People, and only to the Royal Heads that wore it, was and will be always necessary in order to the *keeping up* the *being* of the *Nation*.

There is therefore *scope* and encouragement enough in *England* for a man who is a *Candidate* for a *Patriot's* place, to carry it by being a Confessor of *unmercenary* Loyalty, and arriving at honour, or the *consentiens laus bonorum* by being a Loyal Patriot: and there is as good popular *air* for any one to feed on who will assert the just *Liberties* and *Privileges* of the *English* Subjects as any *Greece* or *Rome* afforded: and there was no need for any one to move for a *Statue* for the *Hero* who promoted that old act against old *Concealments* in King *James* the First's time, or the late one for the *Habeas Corpus*; for such an one must find his *Monument* in the *Hearts* of all the Subjects of *England*. Nor was there ever Prince more Cordially and Passionately concern'd for the *Liberties* of the People of *England* then the *Royal* Martyr: and who fell *reverâ* as their Martyr according to his words on the *Scaffold*, and where he said, *If I would have given way to an Arbitrary Power, to have all Laws changed according to the Power of the Sword, I needed not to have come here.*

His *style* could not there *recede* from that of his *Printed* Declarations, and in one of which, for Example that in 41. he thus mentions his hopes, *viz.* That God will yet make us a great and a glorious King over a free and a happy People.

A. If you had not thus coupled the *LOTAL* Man and the *PATRIOT* together in your Discourse, I should have ask'd you whether you would have Men throw up the many good Laws that the *Parliament* of 40 obtain'd for the ease of the People by partly importuning the King?

B. I assure you, I shall never give you or any one else cause to think that I have not a high value for some of those Laws: and do now shew you my value of them, by telling you that I do not look on them as the offspring of any factious *importunity*, but as the just and natural issue of the goodness of our Prince: and you will find they were so, if you consult the *Declaration* I last cited, and where his never to be forgotten words are, *viz.* That as We have not refused to pass any Bill presented to Us by Our Parliament for redress of those Grievances mentioned in the Remon-
strance,

France, so We have not had a greater Motive for the passing these Laws then Our own resolution (grounded upon our Observation, and understanding the State of Our Kingdom) to have freed Our Subjects for the future from those Pressures which were grievous to them if those Laws had not been propounded, which therefore We shall as inviolably maintain, as We look to have Our own Rights preserved, &c.

And in his Declaration of August 12. 1642. he saith, Would men enjoy the Laws they were born to, the Liberty and Property which makes the Subjection of this Nation famous and honourable, with all Neighbouring Kingdoms? We have done Our part to make a Wall of Brass for the perpetual defence of them, while these ill Men usurp a Power to undermine that Wall, and to shake Foundations which cannot be pulled down, but to the Confusion of Law, Liberty, Property, and the very life and being of Our Subjects.

A. You have named then two *fundamental* Privileges or Rights of the Crown, which by the Oath of Supremacy we are bound always to *assist and defend*. And I am to tell you *frankly* and without going to *hide my Transgression*, as did Adam; that though I have often and in several Capacities took that Oath, yet on the very day I last took it, and while the very *echo* of those words, *so help me God*, was audible in the air of my mind, and before the Ink was quite dry that recorded my Oath, I without considering that as 'tis the *Privilege* of our Prince that his *Heirs* by the Right of the Crown should succeed him, so it is the great Privilege of those *Heirs* to succeed; I was yet so far from *assisting and defending* that *Privilege*, that I immediately endeavoured to subvert the same, and tho my Prince's Mind was notify'd to me for my not so doing. Nay, further to make you my *Confessor*, I was so far gone in a *Lethargick* carelessness of my Oath, that when I saw the *excluding* the title of the Lawful Successor was not likely to pass into a Law, I was tempted to endeavour by *Expedients*, as if I had took an Oath and no Oath, to make him a King and no King. And God having given me space to repent of my past *incogitancy* in relation to that Oath, it being now brought before me in the Course of Providence to *assist and defend* another of the *Preheminenences* which my Prince tells me is granted and *belonging* to the Crown, and which you have mention'd as his *Prerogative above the ordinary Course of the Law*, in the Right of his Crown, and that he first made use of an emergent Necessity, I will through the *Divine* assistance use all the means I can both of serious sedate and unprejudicate Consideration, and of the *Consilium Peritorum*, and Discourse and Communication with others whom in *meekness and lowliness of mind*, I am obliged to *esteem better than my self*, to fix my own Judgment of Discretion in this matter: and will not deny to *assist and defend* this *Preheminenence* of my Prince in particular without being *morally* certain that it is not granted or *belongs* not to him, and will take the best care I can to effect that by any that by any *lachesse or omission* of the great Duty of *Consideration*, I may give no man occasion again to exercise his Charity in not pronouncing me to be *formally* perjured; and that after my Prince hath pardon'd me my attempted *excluding* him from the Throne, I may not endeavour the *disabling* him from any one of his *Rights* while he is on it (for so the style of the Exclusion-Bill ran, and it might have been as well call'd the *Disabling* Bill, according to the words there, *shall be Excluded and DISABLED, and is hereby Excluded and Disabled, &c. from all Titles, Rights, Prerogatives, &c.*) and rights that I have sworn to defend.

The Lord Chief Justice *Vaughan*, (who was a man of the *first-Rate* Talents, if you consider both his natural and acquired parts) doth yet in *Thomas and Sorrell's Case* in his *Reports* call the King's Power of Dispensing, *dark Learning*, and saith it *seem'd so to him*, tho after so many *Arguments* in the Case. And as that great Man found it *dark*, so I think he left it such in some measure, however yet so many daring *Sciolists* (and who never look'd on a *Law-Book* in their lives) will pretend to *Omniscience* in the Matter, and perhaps out of a vain Jealousie of the King's *Omnipotence* being thereby asserted.

But I know your thoughts have travail'd far in this *dark Learning*, and wherein you confess'd to me once, that you had receiv'd some *Illumination* from that *Judge's* Argument, and as likewise you had from a Manuscript *Report* of that *Case of Thomas and Sorrell*, containing an account of the things urged by the other *Judges*, and by the *Council* concern'd in that Case, and which are not mention'd in Sir *J. Vaughan's Report* of it, and where he relates little but his own Argument. He was a fair Reasoner and frank Discourser on all occasions, and not *byass'd* by any mercenary humour: and according to that Candour you have often commended in him, and which I have likewise experimented in your self, let me now again make use of it in your imparting to me your thoughts in order to the Directing and Setling of mine as to the observance of my Oath in this particular.

And tho I know we live in a *crooked and perverse Generation*, wherein so many are at the same time decrying both *summum jus* and Persecution, and too all relaxation of the Laws; and their *Spirits* lie like that *Haven*, Acts 27. 12. *toward the Southwest and Northwest*, two opposite Points, (and one would scarce think it possible that mens *Spirits* could be so extremely *winding and crooked*, and thus opposite to themselves) and while too they are crying out that any *Dispensing with the Laws establish'd*, is *Contradictio in adjecto*: yet that *Lord Chief Justice's Report* hath shew'd me the *legality* of the *Dispensative* Power in many particulars, so far as to excite in me a desire to know more of it, and to move me to *pity* the ignorance of my *Countrymen*, who thus cry out of *Contradictio in adjecto*, and not knowing what a *Dispensation in Law* means, will fall under that *censure* of the *Monk*, viz. *Corrigis magnificat & nescis quid Significat*, and of that *Adage* in *Erasmus*, *Stultior Choræbo*, who not being able to reckon in Numbers beyond five, would yet undertake to *Compute* the numbers of the *Waves* in the *Sea*, or as I may say in the words of *S. Paul*, *desiring to be Teachers of the Law, understanding neither what they say, nor whereof they affirm*: yet I assure you the *Vogue* of the *Mobile* will no more influence my thoughts about the *Motion* of the Laws by *Dispensation*, then it would about the *Motion* of the *Earth*, and who would take it very ill if they shou'd be told it moves as fast as a *Bullet* out of a *Canon*, because they do not perceive it.

A late great *Philosopher* of our Country hath told us, *That every day it appeareth more and more that years and days are determin'd by Motions of the Earth*; and another hath from the *Diurnal* and *Annual Motion* of the *Earth* endeavour'd to *salve* the *Flows* and *Motions* of some Seas, illustrating the same by Water in a *Bowl* arising or falling to either side, according to the *Motions* of the *Vessel*: but perhaps should a *Prince* in his *Writings* inculcate the *Philosophy* of the *Earth's motion*, the *populace* would have *Fears* and *Jealousies* of the instability of the *Foundations* of their *Houses* and *Towns*, and of the shaking of their *Property*, and as they have by *Dispensations*, and they would be apt to quote *Scripture* against such *Motion*:

tion: nay, tho they should be told that such *Motion* would ennoble the *Earth* by exalting it into *Heaven*; and too as *Dispensations* may be said to do by conducting those to *Heaven* who believe *Humane* Laws obliging the *Conscience*, and yet shall not observe some of them. But as when ever you have heretofore discours'd to me of *Copernicus* and *Galilæus*, and their *Hypotheses*, you always found me an attentive Hearer, you will be sure now much more to find me so while you are speaking of any of my Prince's *Privileges* that I am sworn to defend; for I am now concern'd not to save *Phænomena*, but to save my Soul by keeping my *Oath*. And in the temper I am in, now my whole Soul is overflowed with the sense of my having so lately through incogitancy violated that part of my *Oath* that so plainly obliged me to assist and defend the *Hereditary* Monarchy, I shall be as cheerfully attentive to you while you acquaint me with any *Obligations* resulting from my *Oath*, as I would be to any one who told me how much I owed another, and at the same time enabled me to pay it.

B. I shall be most ready when we meet next (which I suppose will be very shortly) to afford you *lumen de lumine*, in any of the few things I know about this *dark Learning*. In the mean time I shall observe to you on the occasion of your Mentioning the *Lord Chief Justice Vaughan's Report* of *Thomas and Sorrell's Case*, that as it hath through the Divine benignity been the frequent *Method* of *Providence* to send into the World unheard of *Maladies* and *Remedies* in the same *Conjuncture* of time, and so likewise to make pestiferous *Hæresiarchs* and learned *Confessors* of the truth *Contemporary*, and further when Heaven had made many of the inquisitive curious to thirst after the knowledge of truth in the works of Nature, then to bless the World with the Discourses and Writings of *Galilæus*, *Tycho-Brahe*, my Lord *Bacon*, *Gassendus* and *Des Cartes*, and Dr. *Harvey*, who open'd such great *Springs* of real Learning as refresh'd that noble thirst; so it seems before the *Date* of His late Majesty's *Declaration* of *Indulgence* in the 24th year of his Reign, and of the *Act* about the *Test* in the 25th year of it, and both which were likely to produce among the *Learned* so many *Inquiries* into the *Legality* of the *Dispensative* Power inherent in the Crown (and even among the *unlearned* an *Epidemical* Disease of talking about the same) it came to pass in the course of Providence, that by as Learned *Judges* as ever sat on the English *Bench*, and as Learned *Council* as ever appear'd at its *Bar*, the *Learning* about the *Dispensative* Power was ventilated and discuss'd in a *Series* of several years in the Case of *Thomas and Sorrell*.

For the Cause began in the King's *Bench* 18. *Car.* 2. and was there argued by some of the Great *Council* of the Kingdom, and there again argued on both sides by other *Council* in *Michaelmas-Term*, in the 19th year of his Reign. And in *Hilary-Term* in 25. and 26. *Car.* 2. this Cause for the weight and difficulty of it was adjourn'd out of the King's-Bench into the *Exchequer* Chamber, and there argued by others of the Greatest *Council* of the Kingdom; and many *Law-Books* quoted. And the Case was afterward argued by all the *Judges* of *England* at six several Days in *Easter*, *Trinity*, *Michaelmas* and *Hilary* Terms, viz. by two *Judges* each day, and the *Judges* differ'd in several Points, and even about the definition or meaning of *Dispensation*. For so that learned *Chief Justice* tells you, and saith, That some of his *Brothers* defined it to be *liberatio à pœnâ*, and others to be *Provida relaxatio Juris*, which (saith he) is defining an *ignotum* per *ignotius*, and *liberatio à pœnâ* is the effect of a *Pardon*, not of a *Dispensation*, &c.

Thus (as I may say) there was a *Circumvallation* by the Learning which concern'd *Dispensing*, that encompass'd some time preceding that *Declara-*

tion of *Indulgence* in the 24th year of his *Reign*, and some time following both it and the *Act of the Test*. I shall some other time perhaps entertain you with the Learned Manuscript *Report* of the whole *Case*: but shall now tell you that during that *Series* of years, there was no angry motion in the *Sea* of the *Populace* occasion'd by any thing said in any of the *Arguments* that propp'd up the *Dispensative Power*; no, not by that mention'd in *Keeble's Reports* about *Thomas and Sorrell's Case* to have been said in the *Exchequer Chamber* by *Ellis* the *King's Serjeant* (and whose *Opinion* was as *Currant* for *Sterling-Law* as any *Mans* of the long *Robe*.) *Viz.* That the *King* may *SUSPEND* an *Act of Parliament* till next *Session*.

And now since it hath thus appear'd out of that *Chief Justice* his *Report*, that at least a sixth part of the *Sworn Judges* of the *Realm* (as he thought) were unacquainted with the meaning of *Dispensing*, I think it may pass for a *Miracle* if any great number of the *mobile* did understand it.

But without their troubling their heads with *Law-Books*, if they would but mind their *English Bibles*, and there consult the 12th of *S. Mathew*, they would soon forbear calling the lawful *Dispensing* with the *Laws* establish'd a *Contradiction*. Our learned *Ames* on the *Priests in the Temple* *Prophaning the Sabbath* and being blameless, observes very well in his *Cases of Conscience*, l. 3. c. 17. That *Præcepta Dei ex sua naturâ nunquam ita Concurrunt, ut necesse sit alterum eorum propriè violare per peccatum. Quum enim præceptum aliquod minus negligendum est, ut majus observetur, minus illud cessat pro illo tempore obligare* (that is to say, is dispens'd with) *ita ut qui ex tali occasione illud negligunt, sint planè inculpabiles, id est non peccent.* Matth. 12. 5, 7. And as to that in the *Chapter* of *David's* entering into the *House of God* and eating the *Shew-bread*, which was not lawful for him to eat, &c. the *Lord Bishop of London* in his *Second Letter to his Clergy*, Printed A. 1680. in the *Paragraph* about *The half Communion*, occasionally thus observes with great Judgment, That a positive *Command* of *God* cannot be disobey'd without guilt, unless on some one or more of these grounds, either, 1. That *God* dispenses with it as he did with *Circumcision* in the *Wilderness*. Or, 2. That some *Evil* greater then the *Consequence* of the *Non-Performance* of it will certainly follow: as when *David* ate the *Shew-bread* and they that were with him: which depends on that rule of our *Saviour*, which tho apply'd to the *Sabbath*, yet extends to all other positive *Commands*, that man was not made for them, but they for man: Or lastly, in case of incapacity, as the *Children of Israel* not going up to *Jerusalem* in the time of *Captivity*.

And there are other words in a foregoing *Chapter* of *S. Matthew* that are still applicable to the *Pharisaical* ignorance of such as reproach *DISPENSING* as unlawful, Go and learn what that means, I will have mercy and not sacrifice.

But according to the *Example* of our *Blessed Lord* in having *Compassion* on the multitude, I think you have taken a just occasion for the pitying so many of your *Countrymen* who in the present *Conjuncture* presume to exercise themselves in great *Matters*, or in things too high for them relating to *Law* and *State*, and who without enquiring about the *modus* of *Dispensing* with the *Laws* establish'd, wherein *Lawyers* differ, cry down the thing it self wholly and absolutely as a *Contradiction* to the *lex terræ*, and in which not being so all *Lawyers* agree.

My *Lord Primate Bramhal* in his *Book* of *A fair Warning to take heed of the Scottish Discipline*, shewing in *Chap. 6.* (that I have before referred to) That it robs the *King* of his *Dispensative Power*, doth wish any one averse to that *Power* no greater *Censure* then that the *Penal Laws* might be duly executed on him till he recant his error. And how *Penal* a thing by the *Laws*

Laws of Nations, it is to alienate the hearts of People from the Prince's Government, all the great Writers of those Laws, and of the *Jura Majestatis* have enough shewn.

Moreover how *Criminal*, a thing of that Nature is in the Court of Conscience, our two great Writers of it, Ames and Sanderson have enough taught us. The Moral offices of Subjects toward their Princes are well set forth in Ames his Cases of Conscience, l. 5. c. 25. and where he saith, *De-bent ex singulari reverentiâ cavere, ne temerarium judicium ferant de ipsorum administrationes* Exod. 21. 28. Eccles. 10. 20. 2 Pet. 2. 10. Jud. 8. *Fundamentum hujus cautionis est, 1. Candor ille qui cum erga omnes debet adhiberi, tam singulariter erga Superiores. 2. Difficultas explorandi fontes & causas negotiorum Publicorum. 3. Moderatio illa quâ leves infirmitates & offensiones tolerare debemus, & communi tranquillitati condonare.*

And Bishop Sanderson in his 11th Sermon, *Ad aulam*, shewing the inconvenience of rashly judging things to be unlawful, observes how thereby mens affections are alienated from one another: and saith he, our own deceitful hearts must needs tell us, how hardly we think of those Men who do those things, we think unlawful: as for example, if we think dressing of Meat and using any recreations to be profanations of the Lord's-Day, we must needs judg those men who do so use them, to be prophaners of the Lord's-Day; and he further observes, That Governours thereby come to be robbed of a great deal of that honour that is due to them from their People, both in their affections and subjection: and saith, if we have in our thoughts prejudged any of the things commanded by the Magistrate to be unlawful, our hearts will be sowed toward our Governours, and Men will directly, or indirectly and obliquely speak evil of them, &c.

Mr. Hobb's writing of the passions, observes well, That the passion whose violence or continuance maketh madness, is either great vain-glory, which is commonly called Pride and Self-conceit, or great dejection of Mind, and that excessive opinion of a Man's own self for divine Inspiration, for Wisdom, Learning, Form and the like becomes distraction and giddiness: the same joyn'd with Envy, Rage, vehement opinion of the truth of any thing contradicted by others, Rage, &c. and if the excesses be madness, there is no doubt but the Passions themselves when they tend to evil are degrees of the same. And therefore when we see so many Mechanical Persons, as to the Point of Dispensation in general, not allowing their own Rule of *Cuilibet in suâ arte credendum*, so many Men and Women, and such whom the Law terms Infants, so rude in the knowledge of the Law, and yet so transported with Pride and Self-Conceit, and such an excessive opinion of themselves for Wisdom and Knowledge, and for being inspired with new light in this dark Learning, none need wish them greater Punishment then such their Distemper; adding thereunto the Pharisaical humour they have been so much abandon'd to, namely, of their own dispensing with Moral and Eternal Duties, and such as I have referr'd to in Ames and Sanderson, and things in their own nature indispensable, and which are the weightier Matters of the Law, while they cry out of the dispensing with Positive Rites and Institutions as illegal.

A. There is another punishment too that I think we may well agree to leave them to, and that is what Grotius cite, out of Plato, viz. *pœna errantis est doceri*, but we must submit that to time; and when God pleaseth, the heart of the rash shall understand knowledge. And in the mean while, to the noyse of such People who wilfully shut their eyes, we will stop our ears. You may well suppose me, who have read that Report of Sir J. Vaughan, lawyer enough to assert and defend according to my oath the Regal privilege

privilege of the *Dispensative* power in General: but as to the *modus* of it, and whether according to the *lex terræ* the Crown can *dispense* with *incapacity* incurred by *Act of Parliament*, I am yet to learn: and am so solicitous to find out the truth therein, that I shall be glad if at our next meeting you will take the *shortest* way to my satisfaction therein, tho it may perhaps occasion your for a while striking out of the *road* of the former discourse we were in.

B. You know we had made some entrance into the consideration of the *promissory* part of the *Oath*, and of the *Dispensative* power, as *promised* to be *assisted* and *defended*, and as a *Privilege* inherent in the Crown. But since you will have me take the *shortest* way I can out of the *words* in your *Oath*, to satisfy you about the *dispensing* with such *incapacity* as you have mentioned, I must in compliance with your desire refer you to the *Affertory* part of the *Oath*, when we meet again.

PART

To the Right Honorable the Lord Marquess of Powys,
one of the Lords of His Majesty's most Honorable Privy-Council.

MY LORD,



Having in p. 57, 58, 59. of the following Second Part occasionally dilated on the Common Place or Notion of Heaven having so often made so much use of the weight of one man in the balance of Government, I esteem'd my dedicating this Part of my Work to your Lordship but common Justice to your Character, who have been the happy Instrument of God and the King in making so many Englishmen happy.

My Lord, It is but natural when the Just are in Authority, for the People to rejoice (as Solomon tells us) and for them likewise to anticipate the Honours of the Prince's affording to a Person heroically just, by wishing them. And this is most properly applicable to your Lordship; and that in your Case may be said what Pliny in his Panegyric mentions of Nerva's adopting Trajan, That it was impossible it should have pleas'd all when it was done, except it had pleas'd all before it was done.

My Lord, It was Nature that prompted them to presage with Pleasure the Profit that would come to them from the accessions of Honour to you, and whereby they knew that the height of your Power would be naturally productive of Blessings to them as the height of Hills and Mountains is of Springs for the benefit of the lower Earth, and of those who inhabit it, and which are found wanting in Countrys where there are no Hills. And the Ancient placing of the Statues of Magistrates by Fountains, may be supposed to have been an indication of the Peoples valuing them as the Causers of what did console and refresh them.

My Lord, when I consider how much your Lordship and other just Persons of the Roman-Catholick Communion have in the performance of the moral Offices of Natural Obedience to your Prince obliged so many of his Subjects by your being helpful to them against Oppressions in their Estates and Consciences, I hope I shall not appear too sanguine in my Conjecture of any ferment soon naturally ceasing about the exercise of the Dispensative Power being a gravamen to Property.

My Lord, I shall in the former of the two remaining Parts of this my Work (and which are both ready for the Press) entertain your Lordship with such a farther Assertion of those offices of that
Obedience

Obedience call'd Natural, as I believe will give no offence to any Zealot, or Patriot, and as I have hitherto took care to give none to either: For tho I think it not deniable that our Princes may by their Laws limit the exercise of that Allegiance or Obedience, with respect to Circumstances, yet as no Humane Laws can legitimate the entire withdrawing of any part of the Obedience enjoyn'd by the Divine Law natural or positive, so how our Lex terræ hath not limited the exercise of the Regal Power from the Dispensing with Disability, as in the Case now so much agitated, I have shewn, and shall further. But I conceive it here necessary for me to acquaint your Lordship that I have been often put to it as speaking cum vulgo & grosso modo, and for brevity's sake to use the aforesaid Expression of Dispensing with Disability, and with Disability incurr'd by Act of Parliament, that is, with what is generally enacted to be incurr'd, and SEEMS to be alike incurr'd by all Persons who perform not what the Act enjoins; and which Dispensing with Disability is frequently used in popular discourse for the pardoning it, and for the liberatio à poenâ, and as the Lord Chief Justice Vaughan's Report by me so much cited mentions dispensing to have been defined by some of the Judges. But to a judgment so vastly comprehensive and profoundly penetrating as your Lordships, the dispensing with Disability must easily appear to be properly meant of the preventing it, and the dispensing with what might Cause it (according to the style of Queen Elizabeth's Letters Patents) or effect the actual incurring of what will reverâ be incurr'd by the Persons not exempted by Dispensation from the doing what the Law enjoins: and which will be made to appear obvious to every man's understanding in one of the following Parts, and wherein I shall have occasion to speak less cum vulgo and more closely and accurately of the Nature of Dispensing, and of its effects in either forum, then yet I have had.

And now having Named that Great Queen, I shall not doubt but since the Members of the Church of England do now under our most puissant and most just Monarch find themselves as secure in the Profession of the Religion by Law establish'd as they did in her great and glorious Reign, it will upon recollection of thought appear as natural to them to hold themselves obliged to shew the same tenderness for every branch of Prerogative, and particularly for that of the Dispensative Power, that was then so remarkable in Parliament, and throughout the Realm.

I remain,

My Lord,

Your Lordship's most Obedient Servant,

P. P.

PART II.

B. I again bid you welcome, and am ready to go on where we last left off, and do not in the least doubt of your welcoming any thing I can say to you that may import you to know in order to your *sworn* assistance and *defence* of every *Privilege* belonging to the Crown. And I shall frankly tell you, that you and other Protestants who in a late Con-juncture did shew a more then *ordinary* zeal against Popery or *Papal* Usur-pations, ought to consider that you have thereby put your selves under an *especial* Obligation of *tenderness* for all the *rights* of your Prince, and of *hating* all *popular* Usurpations or *diminutions* thereof, with an *exemplary* and most *perfect hatred*, and of thereby avoiding the being judged *hypo-crites* and *factions*.

A. I do herein most fully agree with you: and that the late zeal of the same Persons against *papal* Usurpations, and for *popular* ones was a scandal to the Age. I remember you once observ'd to me, how *tender* the *Pro-testants* in the times of Queen *Elizabeth* and King *James* the first, were of every *Right* and *Privil-ge* of the Crown with the most *perfect tenderness*, while the Attaques from the *Court* of *Rome* against those Princes had made the highest Ferment in the minds of the Populace. But I think there never was any Con-juncture of time here, when so many of the declaimers a-gainst Popery, and so many of the *fautors* of Plot-witnesses were so much at the same time for a *Plot* and *no Plot*, and for a *King* and *no King*; that is to say, did so much make a stalking-horse of Popery, whereby to strike at *Prerogative*.

B. But you know that the *talk* of *Plots* and *Popery* was before apply'd to that use. You know *Archbishop Laud* in his *Star-chamber Speech*, A. 1637. mentions it p. 11. as the *scope* of the *Libellers* of the Faction to *kindle* a *jealousy* in *Mens* minds, that there were some great *Plots* in hand to *change* the *Religion* established, and to *bring in* (*I know not what*) *Romish Super-stition*. And the history of those times sheweth you how the Men that cry'd up *Plots* then did *decry* *Prerogative*. And in the Con-juncture of 41. the famous *Protestation* of May the 5th that year, begins with Out-cries of *Designs* of *Popish Priests* and *Jesuits* and other *Papists* and their *PLOTS* and *CONSPIRACIES*, and the Preface of the *Covenant* runs on in the *style* of *bloody Plots* and *Conspiracies*: But you likewise know the dismal state of *Prerogative* in those times then occasion'd by raising of those false *Alarms* of *Plots*.

And I may account it as a beneficial Providence to the Age, that short-ly after our last *Plot-Epoche*, Mr. *Hobbs* his *History of the Civil-Wars* com-ing first out in print through the License of the Press (and having been reserved to the detecting then the *artifices* of the Demagogues that produ-ced the *Usurpations* between the Years 1640. and 1660.) the Book notwithstanding all the prejudice against the *Author* (whether just or unjust) being writ with so much strength and beauty of Wit, as to make it fly like *lightning* round the Kingdom in so many Impressions, did then prove to many ingenious and thinking Men an effectual *Antidote* against the poysons of those old *Artifices* then again scatter'd in the Press, being so destructive to Loyalty as heretofore.

Sir *John Davis* in his Report of the Case of *præmunire Hil. 4. Jacobi* doth but right to the *loyalty* of Roman-Catholicks and to the *genius* of the People of *England* when he saith there, That the Commons of *England* may

be an example to all other Subjects in the World, in this, that they have ever been *TENDER* and sensible of the wrongs and dishonours offer'd to their Kings, and have ever contended to uphold and maintain their Honour and Sovereignty. And their Faith and Loyalty hath been generally such (tho every Age hath brought forth some particular Monsters of disloyalty) as no pretence of Zeal of Religion could ever withdraw the greater part of the Subjects to submit themselves to a foreign yoke; no, not when Popery was in its height and exaltation.

It is therefore no marvel that toward the latter end of the Reign of the late King, the very *Mobile* who had been so zealous against *papal* usurpations, and so fiery in charging *ALL* Papists with disloyalty, did upon their discovery of the artifices of republican deluders to put an inglorious domestic yoke on the Monarchy, then think themselves obliged by the universality of their loyal addresses to shew the more extraordinary zeal against any Popular Usurpations. And so I account it but natural to you who are made *è meliore luto*, to be ready to shew your most consummate zeal for every Privilege of the Crown.

A. It is not possible for any Man to wish me more sensible of my obligation in this point then I really am: and the rather for that I find so many mens loyalty to be but a kind of loud noisy nothing, or a metaphysical *universale*, however they may fanſie it to be a real being: but what I know cannot exist a part from the particular Rights and Privileges belonging to the Crown being assisted and defended, and from a serious endeavour to understand the truth about their belonging to it. And my solicitousness to find out which in the shortest way possible and particularly as to the Privilege of discharging incapacity or disability incurr'd by Act of Parliament, (as I told you at our last meeting) engaged me to divert you out of the course of your method, and whereupon you told me you would refer my thoughts to the Assertory part of the Oath.

B. Well: what ever damps I may see on English Mens loyalty, or degeneracy from its nature by the arts of faction a while perverting them not to assist and defend this or that Privilege of the Crown, I shall never despair of their coming again to themselves: and that tho as in a vessel of Water and Oyl, while any one is shaking it, the Water may over-top the Oyl, so likewise in their minds while shaken and stirred by Demagogues the Oyl of the Lord's anointed is not there uppermost; yet that through its own nature, and through the English good nature and their natural addition to Religion, it will in time naturally appear to be so.

And now to go on without further prefacing on either side, what if I should tell you that it imports you to consider, that in in the Assertory part of the Oath of Supremacy, you have declared and asserted that authority, as due to the King that was challenged and used by King Henry the 8th and Edward the 6th, that is, that the King under God, hath the Sovereignty and Rule over all manner of Persons born within these his Realms of what Estate either Ecclesiastical or Temporal so ever, so as no other foreign Power, shall or ought to have any superiority over them?

A. I would then tell you, that you have mentioned some things to be in this Oath, that I remember not to be there.

B. I grant that I mention'd to you somethings that are not express'd in the Oath, and in the form of it as it is administred, and was enacted 1 Eliz. c. 1. and by which Act the refusers of such Oath are punish'd with DISABILITY to bear Office. But in the same year in which that Act pass'd, Queen Elizabeth in an ADMONITION annex to her Injunctions, thought fit

fit to exercise her *Royal* authority of the *Interpretation* or *Declaration* of the sense of that *Oath* enjoyn'd by *Act* of *Parliament*; and in that *Admonition* you will find those words that you remember not in the *Oath* you took: as likewise her *ACQUITTAL* of all Persons from all manner of *Penalties*, and consequently of *disability*, who took the *Oath* according to the sense of it publish'd in her *Interpretation*. And if you consult the *Act*, you will see that the *disabilities* inflicted in the *Act* on the refusers of the *Oath* are *various*. And thus then you see, that as soon as you have done taking the *Oath*, you are immediately call'd on by your Conscience to defend the *Privilege* and *preeminence* of your *Prince*, viz. of interpreting his *Laws*, and of discharging the *disabilities* thereby inflicted.

A. I now remember that I have read that *Admonition* of the *Queens*; but I account *Proclamations*, *Injunctions*, and *Admonitions* of *Princes* to be but *temporary* *Laws*, and that therefore this *Interpretation* of the *Queen's* and her discharging of *Disabilities* expired with her *Reign*.

B. To obviate such thought, I shall tell you that in the *Act* of the 5th of *Queen Elizabeth*, c. 1. and by which the Refusal of the *Oath* of *Supremacy* is punish'd more severely then by the before-mention'd *disability*, viz. by *Præmunire* for the first *Refusal*, and by making it *Treason* for some Persons to refuse it a *second* time (but *Penalties* that none ever doubted but the *Crown* might by its *Pardon* discharge) there is a *Proviso* that the *Oath* (viz. of *Supremacy*) expressed in the said *Act* made in the said first year, shall be taken and expounded in such form as is set forth in an *Admonition* annex'd to the *Queens* *Majesties* *Injunctions* Publish'd in the first year of her *Reign*, that is to say to confess and acknowledge in her *Majesty*, her *Heirs* and *Successors*, none other *Authority* then was challenged, and lately used by the *Noble* *King* *Henry* the *Eighth*, and *King* *Edward* the *Sixth*, as in the said *Admonition* may more plainly appear. And this too lets you see that the *Parliament* by thus referring to the *Queen's* *Admonition* did approve of her *Power* therein exercised, and of her having acquitted her *Subjects* from the *Punishment* of *disability*.

A. I must then, I see, fairly grant you that by that *Parliament's* having thus perpetuated the *interpretation* of the *Oath* of *Supremacy* contain'd in *Queen Elizabeth's* *Admonition*, I am bound in Conscience to take it in that *sense*, and am perjured if I do not so keep that *Oath*; and must likewise grant that you have shewn how *auspicious* that *Oath* by the *Queens* *interpreting* the same, and the *Parliament* about five years after approving that *Interpretation*, was to the Assertion of such her *Power*; and that if any taker of the *Oath* should gain-say such *Power*, you have prepared such a *Confutation* in the case as was used to the old *Philosopher* who disputed against *Motion*, and whom his *Adversary* confuted by removing him from his place. But as you are a fair arguer, I am to take leave to tell you, That that *Parliament*, tho they approved the *Queen's* *Admonition* in general, did not particularly shew their Approbation of the *Queen's* *Power* of dispensing with the *Penalties* that she exercised in that *Admonition*.

B. They did sufficiently shew their Approbation of the whole; and therefore you need not question their approving of its parts. But because you seem to lay some stress on that *Parliament's* not expressly approving in *terminis* the *Queen's* *Power* of discharging the *Penalties* (and one of which by the *Act* of 1^o *Elizabethæ* was *disability*) I shall tell you that whereas *Queen Elizabeth* had thought it expedient for the Supporting of the *Consecration* of the *Bishops* of the *Church* of *England* to dispense with whatever might cause *Disability*, according to her *Supream* Authority, by her *Letters* *Patents*, the very same *Parliament* at their next *Session* did 8^o *Elizabethæ*, c. 1.

in terminis terminantibus declare their Approbations of the Queens *dispensing with disability* by those Letters Patents: for it having been in that Statute mention'd, that for the avoiding of all Ambiguities and Questions that might be objected against the lawful Confirmations, investings and Consecrations of the said Archbishops and Bishops, her Highness in her Letters Patents under the Great Seal of England, &c. hath used and put in her said Letters Patents divers other general words and Sentences, whereby her Highness by her Supreme Power and Authority hath **DISPENS'D** with all Causes or doubts of any Imperfection or **DISABILITY** that can or may in any wise be objected against the same, &c. it follows, That all Acts and things heretofore had, made or done by any Person about any Consecration, Confirmation or Investing of any Person elected to the Office or Dignity of any Archbishop or Bishop, &c. by Virtue of the Queens Majesty's Letters Patents or Commission, &c. be and shall be by Authority of this present Parliament declared, judged and deemed at and from every of the several times of the doing thereof good and perfect to all respects and purposes: any matter or thing that can or may be objected to the contrary thereof in any wise notwithstanding.

Sir E. Cook in the 4th part of his *Institutes*. c. 74. viz. Of Ecclesiastical Courts, takes notice how our adversaries had made objections against our Archbishops and Bishops consecrated about the beginning of the reign of Queen Eliz. and consequently against the Bishops ever since: That they were never consecrated according to law, because they had not three Bishops at least at their Consecration, and never a Bishop at all, as was pretended, because they being Bishops in the reign of Edward the 6th were deprived in the reign of Queen Mary, and were not (as was pretended) restored before their presence at the Consecration. These pretences being but Cavils are answer'd by the Statute of 8^o Eliz. c. 1. and provision made by authority of that Parliament, for the establishing of Archbishops and Bishops, both in present and in futuro in their Bishopricks.

But Mason in his 3d Book c. 7th. *De ministerio Anglicano*, in his answering the objection, hath recourse to the Queens Patents referr'd to by the Statute of 8^o Eliz. and having mention'd the Queen's *dispensing* by her supreme authority *cum quavis causâ aut suspicione cujusvis DEFECTUS, aut INABILITATIS* quæ quovis modo contra eorum consecrationem obtendi poterat, he saith, *verba in diplomate Regio sic se habent, supplentes nihilominus suprema auctoritate nostra Regia ex mero motu & certa scientia nostris, si quid in his quæ juxta mandatum nostrum per vos fient, aut in vobis aut vestrum aliquo, conditione, statu, aut facultate vestris ad præmissa perficienda desit, aut deerit, eorum quæ per statuta hujus Regni, aut per leges ecclesiasticas in hac parte requiruntur, aut necessaria sunt, temporis ratione aut rerum necessitate sic postulante*: and then adds, *unde serenissima Regina ut omnem calumniandi ansam præcidere, ipsique invidiosos obstruere posset, &c. DISPENSARE dignata est, siquid forte Lynceis oculis invidia, alicujus statuti vel canonis violati prætextu possit obtendere.* And then having brought in his Popish opponents objection, *Hem quid audio? Vos Pontificis maximi Dispensationes dente canino soletis arrodere, & jam nihil pudet in Actis Parliamentariis laicali magistratui, Reginae, fæminæ dispensandi facultatem transcribere? Dispensandi inquam cum quavis causâ aut suspicione ullius defectus aut INABILITATIS, quæ incidere poterant, idque in sacris ordinibus,* he makes this reply, viz. *Papa aliquando dispensat nimium papaliter, sed non perinde Elizabetha. Suas tantum leges RELAXAVIT: Cum transgressionibus*

nibus contra leges suas DISPENSAVIT. Quod Deus fixit nunquam reficere, aut rescindere est molita. And there afterward to the objection; si dicatur Reginam sufficientem dispensandi cum illis potestatem habuisse, profertur aliquod illius potestatis fundamentum, si non ex scripturâ sacrâ, saltem ex Conciliis aut patribus, aut uno aliquo approbato exemplo, in toto mille & quingentorum annorum curriculo, the reply is, Nonne Principis est legum suarum rigorem res ubi postulat emollire? Non magno opinor opus est in limine ad hoc probandum: and as to what was objected against a Prince's dispensing with an ecclesiastical Canon, he saith, Canonum (quatenus sunt leges Principis ecclesiasticæ) summum jus, rigorem, & duritiem moderari spectat ad officium principis. And then he judiciously confutes Sanders his reproaching our Bishops in his book of Schism, with the term of *Parliamentarii episcopi*, and he refers to the words in the Statute of 8^o Eliz. that I have mention'd to you, and saith of them, *Omnino liquido ostendunt Comitia Parliamentaria non consecrasse, ordinasse, vel constituisse episcopos aut ministros, sed jam secundum leges ecclesiæ LEGITIME Consecratos, & ritè ordinatos, ac Constitutos, pro talibus habendos esse DECLARASSE, &c.*

And so I doubt not but you mind the words in that Act relating to the Queen's Letters Patents, viz. *shall be by authority of the Parliament* (not made good, for they were so before, but) *declared, judged and deem'd good.*

A. I apprehend you.

B. But to return to the Consideration of what you are on the whole matter obliged to by virtue of the Oath of Supremacy in the Case now before you: and herein I find that by Virtue of the Queens interpretation of that Oath, and the Parliaments Approbation thereof, that when in the Affertory part of the Oath you do utterly testify and declare in your Conscience that the King's Highness is the only Supreme Governour of this Realm as well in all Spiritual or Ecclesiastical things or Causes as Temporal, you have as in the Presence of God solemnly given your cordial Assent to, and made your most Religious acknowledgment that the SOLE Supreme Government or Sovereignty and Rule under God over all manner of Persons born within these Realms, is in the King; and you are obliged to judge that tho the Oath speaks of all Spiritual or Ecclesiastical THINGS or Causes, and the interpretation of all manner of Persons of what Estate either Ecclesiastical or Temporal soever they be, yet there is no inconsistency between the Oath and the Interpretation, for that as a Learned man in his Comment on that Oath hath well observ'd, there is no Opposition between these two, Persons and Causes; the Principal object of a Law is a Person, and a Person with respect to his Actions, a Person morally Consider'd; and he there quotes Suarez de Legibus, l. 1. c. 8. saying, *Ad leges per se requiritur potestas in personam, secundario in Res alias*: and for that the Affertory clause in the Oath declaring the King the only Supreme Governor of this Realm, doth necessarily imply his being the only Supreme Governor of all Persons in it.

A. But perhaps you did not take notice that probably one reason why Queen Elizabeth was willing that her Interpretation that related to the Affertory part of the Oath, I mean as to her Power over all the Persons of her Subjects, and which was Publish'd in the Admonition after her Injunctions, should in the aforesaid Act in the 5th year of her Reign be approved in Parliament, might be to satisfy the scrupulousness of some mens Tender Consciences, and who might thereby think that according to the Rule of *ejus est interpretari cujus est condere*, that the Oath of Supremacy enjoyn'd by Parliament 1^o Elizabethæ could not receive an Interpretation but from

the *Queen* in *Parliament*, and that that Consideration might therefore be supposed to be the cause of the *Queens interpreting*, being approved or declared good by the *Parliament* in the *Fifth* year of her *Reign*.

B. I shall tell you that as to the sufficiency of the *Queen's Power* to interpret the *Oath* by her *sole Authority*, it appears not that the *Proviso* in the *Statute* of 5 *Eliz.* did in the least arise from any such scruple, and so *De non apparentibus*, &c. And here without troubling you with the Notions of the *Royal assent* creating the *Soul* of the *Law*, and by the words of *le Roy le veult*, after the *Body* of it hath been prepared by the *three Estates* and that the *three Estates* have nothing to do ^{voluntarily or without the leave} to interpret a *Law* that is once made, and accordingly as Sir C. Hatton, formerly *Lord Chancellor* of *England*, in his *Treatise of Acts of Parliament and their Exposition*, tells us, That the *Assembly* of *Parliament* being ended, *functi sunt officio*, and speaking particularly of those of the *Lower House*, saith *their Authority is return'd to the Electors so clearly, that if they were all together assembled again for interpretation by a voluntary meeting*, eorum non esset interpretari, &c. I shall once for all observe to you, that our *Monarchs* when in the exercise of the *Prerogative* inherent in them, and inseparable from them, relating to *Matters* of *Peace* and *War*, the *Coining* of *Money*, or the *Dispensing* in *Matters* Civil or Ecclesiastical, they condescend to have the same in particular Cases approved or ^{farther} strengthen'd by *Parliament*, are no more deprived of their *Sole Supremacy* therein, then the *Body* of the *Sun* is devested of its *Heat* and *Light* by diffusing the same through the *Air*.

But I have before observ'd to you, that the apparent Cause in the *Proviso* of 5^o *Elizabethæ*, whereby the *Queens Interpretation* is Enacted, is the better to transmit the obligatoriness of the Interpretation in point of Conscience beyond her *Life*, and to the *Reigns* of her *Heirs* and *Succeffors*, and to bind us who live now to acknowledge such Power due to our present King over the Persons of all his Subjects, as was in her interpretation challenged to be due to *Harry* the Eighth and *Edward* the Sixth.

I shall not trouble you with my Judgment about *Moot-points* of *Law* relating to the *Regal Power* of interpreting *Acts* of *Parliament*, and particularly such wherein *Oaths* are founded. My Lord *Coke*, *Inst.* 3. c. 74. tells us, *That an Oath cannot be ministred to any, unless the same be allow'd by the Common Law, or by some Act of Parliament: neither can any Oath allow'd by the Common-Law, or by Act of Parliament, be alter'd but by Act of Parliament: and saith in the Margin, So resolv'd, An. 26. El. in the Case of the Under-Sheriff.* And then saith the *Oath* of the *King's Privy Council*, the *Justices*, the *Sheriffs*, &c. was thought fit to be alter'd and enlarged, but that was done by *Authority* of *Parliament*. For further proof whereof see the *Statutes* here quoted (i. e. those referr'd to in his Margin) and it shall evidently appear that no old *Oath* can be alter'd or new *Oath* rais'd without an *Act* of *Parliament*.

I have only here referr'd you to *Matters* of *Fact* in the *Reign* of *Queen Elizabeth*, a *Reign* that the *Royal Martyr* in p. 3. of his *Declaration* to all his *Loving Subjects* of Aug. 12. 1642. refers to with so much honour by saying, *We declared our Resolution, &c. and desired that whatsoever mistaking had grown in the Government either of Church or State might be removed, and all things reduced to the order of the time (the memory whereof is justly precious to this Nation) of Queen Elizabeth, &c.* and do leave it to you to consider how Great the *Power* of *Interpretation* of *Laws* is in it self; a *Power* almost infinitely greater then the discharging either the *Obligations* of some *Penal Laws* or their *Penalties* *Pro hic & nunc*, and as to some particular Persons, as any one will grant who hath seen the extent of the

the Power of interpreting in the *Canon Law*, where the *Glossa ad Cap. Statuimus 4. Distinct. 4.* gives us this Interpretation of *Statuimus: STATUIMUS* (i. e.) *ABROGAMUS*. And I can for this purpose tell you, that *Bartolus* in his *Tractatus testimoniorum* speaking of the Imperial Power *concedendi veniam ætatis*, saith *Carolus quartus sanctissimus & nobilissimus Imperator inter alia multa concessit, ut ego meique descendentes quos legibus doctos esse contigerit, per unversum imperium ætatis veniam concedere valeamus, servatâ formâ quæ legibus reperitur inserta*; and whereby you see that a Power of *dispensing* with *incapacity*, was by the Prince given as an *inheritance*. But none can imagine that the Power of *interpreting* Laws can be so conferr'd: So that therefore according to the *Rule of Law*, *Non debet cui plus licet, quod minus est non licere*, you need not wonder at the Prince's *dispensing* with *incapacity* in particular cases, whom you have seen *interpreting* Laws. And you may consider that if the *Queen* did contrary to the measures of Law referr'd to in my Lord *Coke*, by her sole Supream Ecclesiastical Authority, seem to alter the interpretation of a *Statute Oath* for the better, what she did found afterward its approbation in Parliament: and in fine; I leave it to you to consider how much the Power of *dispensing* with any Law may be thought *Coincident* with *interpreting*, since as I shall some other time shew you at large that the *dispensing* with Laws, is in effect the *equitable* interpreting that in such and such cases and circumstances they were not intended, and ought not to bind, but ought to be relax'd.

And now I must take the occasion offer'd me to give you a prospect of the Queens *Dispensative* Power, both of the *Interpretation* of this *Oath*, and of the acquittal from *Disabilities* that is not bounded by the *Statutes* of 5^o or 8^o *Elizabethæ* beforemention'd, and wherein she again stood on the single basis of her own *Supreme* Authority Ecclesiastical, without having recourse then to a Parliaments approbation. Mr. *Ney* in his learned Observations on the *Oath of Supremacy*, having spoke of the Queens *Interpretation* of the *Oath* in her *Admonition*, and of the Parliamentary *Proviso* 5^o *Eliz.* doth thus go on, *There is something of Explication further* (meaning of the *Oath*) *in the Articles of Religion concluded in the year 1562, and then recites the 37th Article as followeth, viz. The Queens Majesty hath the Chief Power in this Realm of England, and other her Dominions, unto whom the Chief Government of all Estates of this Realm, whether they be Ecclesiastical or Civil in all Causes doth appertain, and is not nor ought to be subject to any foreign Jurisdiction. Where we attribute to her Majesty the Chief Government, by which Title we understand the minds of some slanderous Folks to be offended, we give not to our Princes the ministering either of Gods Word, or of the Sacraments, the which thing the Injunctions also lately set forth by Elizabeth our Queen do most plainly testify, but that only Prerogative which we see to have been given always to all Godly Princes in holy Scriptures by God himself, that is, that they should rule all Estates and Degrees committed to their charge by God, whether they be Ecclesiastical or Temporal, and restrain with the Civil Sword the stubborn and evil doers.*

The Bishop of Rome hath no jurisdiction in the Realm of England.

The Laws of the Realm may punish Christian Men with death, for heinous and grievous Offences.

It is lawful for Christian Men at the Commandment of the Magistrate to wear Weapons, and serve in the Wars.

Now after the *Oath of Supremacy* had been enjoyn'd in the first year of her Reign, and the *Admonition* annexed to her *Injunctions* was then likewise

enacted

wise publish'd, viz. A. D. 1559. and after the Parliament had by *proviso* confirm'd the interpretation of the Oath, (which Parliament began the 12th of January in the 5th year of her reign, and from which day all things done in that Session are to bear date) the *Articles of Religion* agreed on by the *Archbishops* and *Bishops* of both *Provinces*, and the whole *Clergy* in the Convocation holden at *London* in the 5th year of her reign, and A. D. 1562. were by the *Archbishops* and *Bishops* of both *Provinces* subscribed the 29th of January in that year, and by the *Clergy* of the lower House of Convocation on the 5th of February following, and to all which the *Queen* gave her Royal Assent. And in the *Articles* there was by the *Queens* Royal Prerogative an additional Interpretation probably at the instance of the *Clergy* given to the interpretation, in the *Admonition*: and in the *Parliaments Proviso*: and the which additional interpretation had in it no respect to, nor mention of what, being in several places of the former one, might amuse the *Clergy* with some Fears and Jealousies, namely the Duty, Allegiance and Bond that were acknowledged due to *Harry the 8th* and *Edward the 6th*, and the Authority that was challenged and lately used by those *Princes*; however yet that latter Clause is qualify'd in the *Admonition*. But for the 37th Article before-mentioned allowing the measures of the Royal Supremacy from the Prerogatives given by God in Scripture to holy Princes. whereby our *Clergy* might seem to have brought the Prerogative into its own proper Element, and theirs too (the knowledge of the Scriptures being their profession) our *Clergy* no doubt were always thankful to the *Crowns* Dispensative power, and so exercised out of Parliament: and whereby they were secured from penal disabilities either by suspension or deprivation for not taking the Oath in the sense of the *Admonition*.

Thus as things in their proper place are at rest, the *Queens* Dispensative power and the Consciences of the *Clergy* by this interpretation of the Oath were so much at rest, that about eight or nine years afterward the same 39 Articles that had been by the *Archbishops* and *Bishops* and *Clergy* of both *Provinces* agreed on in the year 1562. were by the said *Archbishops*, *Bishops* and *Clergy* again agreed upon, and again ratify'd by the *Queen* in the year 1571. the 13th year of her reign, and when care was taken by the Government that that interpretation being incorporated in the body of the 39 Articles should be deem'd good in Parliament by the Statute of 13^o Eliz. c. 12. as the other interpretation in the *Admonition* had been by the proviso in the Act of the 5th of that *Queen*, and probably for the same reason: and as her dispensing with disability expressly in the 8th year of her reign was.

In the Act of the 13th of Eliz. reference was made to those Articles as agreed on by the *Archbishops* and *Clergy* and set forth by the *Queens* authority Anno 1562. and the Act is entituled, *Reformation of Disorders in the Ministers of the Church*, and in which it was enacted, That all such as were to be ordained or permitted to preach or to be instituted into any Benefice with cure of Souls, should publicly subscribe to the said Articles; which shews (if you mind it) that tho the Parliament did well allow and approve of the said Articles, yet the said Book oweth neither Confirmation, nor Authority to the Act of Parliament. And that Act concerning only *Clergy-men*, tho the interpretation in the 37th Article is left to oblige the *Clergy*, yet that in the *Admonition* might concern you to stick to, if nothing had since happen'd whereby the dispensative power inherent in the *Crown*, may have given your Conscience the benefit of the interpretation thus afforded to the *Clergy*.

But

But therefore I shall here tell you, that the *Canons* of King James the 1st Anno 1603. being confirmed for him and his Heirs and Successors are binding now, however it hath been objected as the unhappiness of Queen Elizabeths *Canons*, viz. A. 1571. A. 1584. A. 1597. wanting those formal words of *Heirs and Successors*, to expire with her. And as those words are in King James's *Canons* so are the words of enjoying *their being observ'd, fulfill'd and kept not only by the Clergy, but by all other Persons within this Realm as far as lawfully, being Members of the Church it may concern them*: and tho in the first Canon there entituled, *The King's Supremacy over the Church of England in Causes Ecclesiastical to be maintain'd*, 'tis order'd, *That all Ecclesiastical Persons shall keep and observe, and as much as in them lyeth, all and singular Laws and Statutes made for the restoring to the Crown of this Kingdom, its ancient Jurisdiction over the state Ecclesiastical*, yet in the next Canon entituled, *Impugners of the King's Supremacy censured*, the measures of the King's ecclesiastical Authority being taken from the *Godly Kings among the Jews* according to the 37th of the 39 *Articles*, was an extending to the *Layety* the *benefit* of the *Interpretation* obtain'd by the *Clergy*, the which was in effect a judgment of the *Convocations*, that the pursuance of that *Interpretation* of the King's *Ecclesiastical* Power, and the avoiding of the punishment of *Disability* by the use of that Power, was not against the *Law of the Land*: but the 5th Canon, viz. *Impugners of the Articles of Religion establish'd in the Church of England censured*, and in which the establishment of the 39 *Articles* is solely referr'd to them, as agreed on in *Convocation* in the year 1562. without any notice of the *Parliament* of the 13th of *Eliz.* having done any thing about them, doth more clearly secure to you the benefit of the *Interpretation* the *Clergy* had.

A. You have mention'd so many things to me relating to the *interpretation* of the *Oath* of *Supremacy* which I never knew before, that may seem to perplex the *Conscience* of any one who would take it, and to expose it to such a kind of *Ordeale-Purgation per ferrum candens*, that may make the passage through it dangerous to Ones *Conscience*.

B. Look you to that who have taken the *Oath*, and do you consider how far you are by the *Interpretations* that I have referr'd you to, obliged to take your measures in the Matter that lies now before you, as to your assisting and defending the *Prerogative* of the *Dispensative* Power: and I likewise recommend it to you to observe how much to the satisfaction and ease of the minds of the generality His Majesty's *Lay-Subjects*, he by *Connivence* hath dispens'd with their not troubling themselves to study the *Duty, Bond, or Allegiance* that was acknowledged to be due to *Henry the 8th*, or *Edward the 6th*, or the *Prerogative* given by God to *Godly Princes in the Scripture*, or the *Christian Emperors* in the *Primitive* times: for however our *Divines* are by the 39 *Articles* and the *Canons* of King James, and King Charles the First particularly obliged to study these Points, and that the knowledge of the same may oblige Men of learning and leisure among the *Layety* to Conduct their *Consciences* thereby in their observance of this *Oath*, yet His Majesty's not reviving among all his Subjects by any *Proclamation* or *Ecclesiastical Injunction* or otherwise, the notices of these forgotten things, cannot but be acceptable to the generality of them as a *Dispensation* by *Connivence*. And therefore in *Complaisance* with, and gratitude to him, they are by the *Law of Nature* bound to give him what is plainly his *Due*, according to the plain *Oath* tender'd to and taken by them, and to take care that they do not exercise an *Illegal Power* of *dispensing* by way of *Interpretation* of that *Oath* to the Subversion of the sense of the *Affertory* and *Promissory* parts of it; both which are the Supporters of the *Royal Dispensative Power*.

But reserving for some other time my thoughts relating to the *Dispensative* Power exercised by the Godly *Princes* in Holy Scripture, and by the Christian *Emperors*, I shall desire you now to look on your Oath in the plain natural sense of it, and as much as if no *authoritative* one had ever been given of it. Consider, that when you declare the *King* is the *only* Supreme Governor of this *Realm*, or Governor of all Persons in it, no *Humane* Laws can bind our *Consciences* by any disability Penal incurr'd from serving him. When Kings say there is a *Necessity* for our *Service*, St. Paul hath said, we must needs be subject to them; and which as *Grotius* hath well observ'd, implies *Obedience to their Commands as well as Submission to their Coercion*.

As Dr. *Donne* in his *Pseudo-Martyr* observ'd well concerning the Oath of Allegiance, All the Substance of the Oath is virtually contain'd in the first Proposition, That King James I S lawful King of all these Dominions, the rest are but Declarations and Branches naturally and necessarily proceeding from that root, the same as to the Point we are upon may be verify'd of the Oath of Supremacy, The King's Highness I S the only Supream Governor of this Realm (not shall be by virtue of this Act) I S S O notwithstanding any thing that hath been done, or is a doing, and whereby any former Princes supposed *de facto* consenting to tie up his hands from Governing all his Subjects, and ranging them in their Stations in his Service, is out of the Case of your Oath, who have sworn thus, that King James the Second I S the only Supreme Governor, &c.

Since therefore you have in your Oath acknowledged that the King is the only Supream Governor, and that according to the 37th Article of the Church of England, He HATH the rule of all Estates and Degrees committed to his charge BY GOD, whether they be Ecclesiastical or Civil, I will ask you, if any *Humane* Law can disable any Persons from being govern'd by him, more then it can Children from honouring their Parents. According to those words in *Malachi*, If then I be a Father, where is my honour? and if I be a Master, where is my fear, &c. may it not be said to every Subject, while the King I S your King, while he is your only Supreme Governor, and while he is your Political Father, will you not be Govern'd by him? Or in effect, will you Govern him by thinking to oblige him not to employ this or the other Subject, and in effect endeavour both to dishonour and disable him who is the Head of the Community (as it were) by loss of Member? Will you dishonour him who bears the Sword by imposing on him your belief that such a Member of the Body Politick is a gangrened one, and necessary to be cut off from serving the State, when he tells you he knoweth the contrary? Or will you dishonour his Religion by saying that *Papists* are disabled by their Religion from being sound Members of the State, when he knoweth they are not so disabled by it, and accordingly as Sir William Temple hath in his Excellent Observations on the Low Countries made it appear, that the *Papists* there are a sound part of the State?

Remember that the words *only* Supreme, as apply'd to your King in the Assertory part of your Oath are not *Otiosa Epitheta*. You will find that our great Casuist, Bishop Sanderson in his Seventh Lecture of the Obligation of Conscience lays so much stress on those words in your Oath Only Supreme Governour, as to judge him *PERJUR'D* who having taken the Oath, shall assert the Figment (as he calls it) of Co-ordinate Power. *Quid enim PERJURUM dici mereatur, si hoc non sit manifestissimum PERJURUM, quem solum esse Supremum in suo regno Moderatorem, Conceptis verbis juraveris, ei parem etiam in suo regno potestatem constituere & agnoscere.*

If you did but often enough consider your Prince, as asserted in your Oath, to be Governor of the *Realm*, you would find in your thoughts no difficulty of allowing him the Power of Commanding all Persons in it without exception to serve him. Bishop *Bilson* in his *Book of Supremacy*, p. 238. saith, *Though Bishops may be call'd Governors in respect of the Soul, yet only Princes are Governors of Realms. Pastors have Flocks, and Bishops have Diocesses; Realms and Dominions none have but Princes, &c. and so the style of Governor of this Realm belongs only to the Prince, and not to the Priest, and imports a Publick and Princely regiment.* And here I shall take occasion to tell you, that as the *Common Law*, subjecting the Inhabitants of this Realm to the Government of Bishops hath not kept our Princes from exempting particular Persons and Bodies Corporate from their Jurisdiction, but could not exempt them from being subject to their Prince, and from obeying him, that much less could any *Statute Law* do it.

It is upon the weight of reason that lyes in this Assertory part of the Oath that so many Writers of the *Common Law* have founded their Assertion of the King's Power of Commanding the Service of all his Subjects, as essential to the keeping up the Monarchy, (or the Rule of all Estates committed to him by God, that I lately spoke of) and inseparable from it, nor alterable by any *Humane Laws*. It is the Supreme Power of our Princes as Governors of the Realm, that hath always entitled them to Press men for the Service of the Crown by Land or Sea, and to recall both Soldiers and Mariners from the Service of Foreign Princes upon emergent Occasions to serve their natural Liege Lord. And the Book writ by a Learned Common Lawyer against the *Exclusion*, call'd, *A Letter from a Gentleman of Quality in the Country, &c.* and Printed A. 1679. and so deservedly extoll'd by the Judicious loyal, tells you in p. 7. and 8. that If it should be enacted by Parliament that No man should honour the King, or love his Parents or Children, &c. such an Act would be ipso facto void, because contrary to the express Divine Command, &c. The Statute of 23 H. 6. c. 8. and several other Statutes Enact, that no Man shall be Sheriff of any County above one year, and that any Patent of the King to any Person for a longer term, tho with an express Clause of Non-obstante shall be void and of none Effect, and the Patentee perpetually disabled to bear the Office. And yet notwithstanding it is Resolv'd by all the Judges of England, that these Acts of Parliament are void: and that the King may by Non-obstante Constitute a Sheriff for Years, Life, or Inheritance. And what is the Reason which the Judges give of this Resolution? Why, because, say they, in express words, this Act of Parliament cannot bar the King of the Service of his Subject, which the immutable Law of Nature doth give to him. For Obedience and Ligeance of the Subject, (add they) is due to the Sovereign by the Law of Nature. See 2 Hen. 7. 6. v. Calvin's Case, 14. a. in Coke's 7th Rep.

We know that by the Statute of 4^o. H. 4. c. 5. 'tis ordain'd, That every Sheriff of England shall abide in proper Person within his Bailiwick, for the time that he shall be such Officer. But this Act hath never been construed to hinder the King as Supreme Governor and Ruler of all Persons in the Realm from Commanding any Sheriffs to serve him elsewhere during their Shrievalties: nor on such case to oblige the Sheriffs in Conscience to observe the Statute by such Personal residence.

Baker in the reign of King Charles the first tells us of an Information A. 1629. in the Star-chamber against Mr. Long, for that he being high Sheriff of the County of Wilts, had the Charge and Custody thereof committed to him, and had taken his Oath according to the Law to abide within his Bailiwick all the time of his Sheriff-wick, and his Trust and Employment requiring

requiring his personal attendance therein, did contrary thereto suffer himself to be chosen a Citizen for the City of Bath to serve in the last Parliament, and did attend at Westminster in Parliament *WITHOUT HIS MAJESTIES LICENCE*, he being Sheriff at that time: and that for the fore-mention'd Offences and Breach of his Oath, and neglect of his Trust, and Contempt of his Majesty, the Decree was, That he should be Committed to the Tower during his Majesties Pleasure, and pay a Fine of 2000 Marks to the King. Hereby you see that his Majesties *LICENCE* or Dispensing with that Statute had indemnify'd him from it in the Court of Law; and that the *potestas Superioris* being necessarily imply'd in a promissory Oath, the King as supreme Governour of all Persons in his Realms, commanding or allowing such Officers service to the publick elsewhere, had secured him in either forum.

The known Custom of the Speaker of the House of Commons *DISABLING* himself when presented to the King, but of entering on his Charge on the King's approbation and pleasure signify'd (according to that saying of *Cume posse negem quod tu posse putes*) may pass for some representation to our thoughts of Disability to serve the publick, then evaporating when the King as Governor of the Realm doth give the Subject a Call so to do. You may find this practice of the Speaker's disabling himself set down in *Coke 4. Inst. c. 1.* And I shall here by the way take notice that he there likewise mentions it that one of the Principal ends of Calling of Parliaments is for the redress of the Mischiefs and Grievances that dayly happen. And he had there before said, Now forasmuch as divers Laws and Statutes have been enacted and provided for these ends aforesaid, and that divers Mischiefs in particular, and divers Grievances in general concerning the Honour and Safety of the King, the State and Defence of the Kingdom, and of the Church of England might be prevented, an excellent Law was made Anno 36. E. 3. which being applied to the said Writs of Parliament doth in few and effectual words set down the true subject of a Parliament in these words, For the maintenance of the said Articles and Statutes, and redress of divers Mischiefs and Grievances which daily happen, a Parliament shall be holden every year, as another time was Ordain'd by a Statute. Before the Conquest Parliaments were to be holden twice every year, &c.

But accordingly as my Lord Coke there takes notice of the style of the Statute of 36. E. 3. viz. to the Honour of God, and of holy Church and quietness of the People, and according to the style of the Statute of 10. E. 3. Because our Sovereign Lord the King Edw. 3. which Sovereignly desireth the maintenance of the Peace and Safeguard of his People, &c. hath Ordain'd, &c. for the Quietness and Peace of his People, &c. and suitably to the style of the Statute of 14. E. 3. 1. To the Honour of God, &c. The King for Peace and Quietness of his People as well great as small, doth Grant and Establish the things underwritten, &c. and to that of 20. E. 3. and for this Cause desiring as much for the Pleasure of God, and Ease and Quietness of our Subjects, and according to that style in the Register, Nos oppressiones, duritias, damna excessus, & prædicta gravamina volentes relinquere impunita, volentesq; salvationi & *QUIETI* populi nostri in hac parte prospicere ut tenemur, &c. and according to the Trust committed to Princes by God to endeavour that their Subjects may under them lead *QUIET* and Peaceable lives in all Godliness and Honesty (and which is the great Fundamental reason of the Moral Obligation of Princes to relax the *Summum jus* of their Laws by sometimes *DISPENSING* therein) since we may easily imagine by our thinking of a late Conjunction, how possible it was that the Peace
and

and *Quietness* of the People might be disturb'd by the *Annual* Calling of Parliaments, according to the tenour of those Laws; our Princes as *Supreme* Governors of the *Realm*, did often *dispense* with their observance.

The *Author* of the Book call'd *The Long Parliament Dissolv'd*, Printed in the year 1676. refers to the *Laws* of 4^o E. 3. c. 10. and 36. E. 3. c. 14. 5. E. 3. N^o. 141. 5. E. 2. N^o. — 1. R. 2. N^o. 95. as *positively* appointing the Meeting of a Parliament once within a year. And the People (saith he) have silently waited and born the Omission of our Princes in not so Calling Parliaments: And he further mentions how *Queen Elizabeth* Prorogued a Parliament for three days more then a year: and he presumes to complain of His late Majesty's Proroguing his long Parliament to above a years time as *illegal*, and he argues for that Parliaments being disabled from Sitting and acting afterward as a Parliament, by reason of such Prorogation as contrary to the aforesaid Laws, and which, he saith, were declared to be in force when the triennial Act was made in 16. Caroli 1^{mi}. and so likewise in the Statute for repealing that triennial Act in 16. Car. 2^o. in these words, And because by the Ancient Laws and Statutes of this Realm made in the Reign of King Edward the Third, Parliaments are to be held very often, &c.

And how the Judgment of the House of Lords was assertive of the legality of that Parliaments not being disabled from sitting after such His late Majesty's Prorogation, is fresh in memory.

But to return from whence I digress'd, I may here take notice to you how our Princes as *Supreme Governors* of the *Realm*, and as having the Rule of all Persons committed to them by God (and to whom they stand accountable for the same) have held themselves obliged further to *dispense* with *disability* incurr'd by Acts of Parliament upon a Religionary account, and which they have done to the general satisfaction of their Subjects of all Religions.

A: What do you here intend to refer to?

B. I do here intend to refer to the Statute of 3^o Jacobi c. 5. by one Clause in which Act Convict Recusants are DISABLED from practising Physick, or bearing any Office or Charge Military, and by which Clause every Person offending, is to forfeit for every such Offence 100 l. and the one Moiety thereof to be to the King, and the other Moiety to him that will sue for the same, &c. But notwithstanding the Zeal of that Prince against Popery, he out of a tender regard to the Bodies and Healths of his People, and the enabling many learned Roman-Catholick Physicians to preserve them, did by Connivence sufficient y *dispense* with that Law; insomuch that it may be said, that that severe disabling Law came on the Stage, but as *Cato* into the Theatre, only to go off again.

And I have elsewhere mention'd it, that a Book afterward Printed in his Reign, call'd *The Foot out of the Snare*, sets down the Names of about Twenty five famous Roman-Catholick Physicians then Practising in London, and the places of their abodes, and whom yet (I believe) no Informer ever molested.

And notwithstanding the *disability* incurr'd by that Act of Parliament, I account that an eminent Roman-Catholick Physician not long since dead, was not by any among our various Sects of Protestants in the Plot-times, envy'd the liberty of being in our Metropolis the greatest Practitioner of that noble Science. By the same Clause Roman-Catholick Lawyers are likewise disabled from Practice, and under the same Penalty; but who likewise enjoy'd the same Dispensation by Connivence with those of the other Profession, accordingly as Mr. Nye in his Book, call'd *Beams of former Light* observes, p. 146. viz. The Law, Physick, Merchandize, &c. may be practised by a Turk, or Jew, or Papist here among us, &c.

How severe the Laws in being are against Roman-Catholicks of the other great Profession, namely of *Theology*, and of the Clerical order officiating here, you know. But you likewise know my opinion I discours'd to you of in the *Conjuncture* of the *Plot*, and *Panick fears*; namely, that by virtue of the Contents of the *Affertory* part of the *Oath* we are upon, even our *Protestant* Kings as *Supreme Governors* of the Realm both in Matters *Ecclesiastical* and *Civil*, and as having the *Rule* of all Persons committed to them by God, were morally bound to see our *Roman-Catholick* Countrey-men, while living among us here, provided with a *Competent Priesthood*, as *Physicians* for their *Souls*, and to administer the Sacraments to them.

A. Yes, I remember your Discourse of that matter then, and how you mention'd it; that if any *Turks* or *Jews*, or any *Heterodox* Religionaries desired to live here without a *Priesthood*, the Prince as *Guardian* of both *Tables*, was obliged by his *Coercive* Power to make them put their own *Principles* in practice by their having a *Competent Priesthood*, and which all the *Sects* of the *Mahumetan*, *Pagan*, *Jewish* and *Christian* Religion own it as their *Principle* to have: and that as Religion was necessary to the State to make men good Subjects and ready to serve their Prince, and just Dealers, a *Priesthood* was necessary to Religion.

B. You are not therefore to wonder at the *Dispensation* by *Connivence* so many Roman-Catholick *Priests* enjoy'd here in the Reigns of former Princes. And I shall some other time tell you how our Laws that *DISABLE* *Papists* from bearing Arms, were in the time of the Rebellion after A. 1640. necessarily dispens'd with by the Royal Martyr as *Supreme Governor* of the *Realm*; and that none of the *Church* of *England* did look with an *evil eye* in the least on such *disability*, being then dispens'd with by *Prerogative*.

A. I suppose you may have heard it *objected* that by the *Statute* of 25. C. 2. which has lately employ'd your thoughts, the *Prerogative* of the King is not touch'd; for that the *King* may grant the *Offices* to any of his *Subjects*, and that the *Act* is only a *Direction* to the *Subject* to *qualifie* himself accordingly for the King's *Service*, and that if he be *unable* to serve the *King*, 'tis through his own *default*, and he is punishable for the same, as happen'd in the *Case* of one who was made *Sheriff* and neglected to take the *Oaths*: and that there was an *Opinion* given in the *Case* that no *Subject* could put himself out of a *Capacity* to serve the King, but for so doing he is punishable.

B. But the more you think of this Matter, you will find the *unreasonableness* of the *Objection* recurring upon your thoughts with greater force. For it is not in mens Power to *qualifie* themselves to serve the King by *believing* what *doctrinal* Propositions they will: and tho you have heard of a *Faith* that will remove *Mountains*, yet you may consider that 'tis as easie to remove them as your *Faith* it self about Matters of *reveal'd* truth, and that considering the *Circumstances* some mens Minds are involv'd in, they can no more alter their beliefs about *Transubstantiation*, then they can *transubstantiate* themselves into other Creatures; and are under a *Moral* incapacity of preventing another incurred by *Law*. And therefore as it would be Injustice in a Judge to *Punish* a man for the Errors of the mind that he knoweth not to be *voluntary*, and for a man's not putting himself into a *Capacity* to serve the King, by the *Professing* of the truth in *Problematical* Points, when the *King* of *Kings* hath by the not *sufficient* promulgating of such truth to his understanding, render'd him *innocent* in his *disbelief* thereof, and so long morally *unable* to profess it; so by one man's

man's after another appearing thus *unable* to *qualifie* himself to *serve* the King, he may be *totally* unserved.

I have often heard you complain of the narrow *Idea's* of the King's *Supremacy* in some of the *Non-Conformists*: but if you will read the *Protestation of the King's Supremacy* made by the *Non-conforming Ministers* and Printed *A. D. 1605.* you will find that they have there given in sufficient caution for their Principles, not allowing any of the King's Subjects being *disabled* from serving him. For they having said in §. 1. *We hold and maintain the same Authority and Supremacy in all Causes and over all Persons Civil and Ecclesiastical granted by Statute to Queen Elizabeth, and expressed and declared in the Book of Advertisements and Injunctions, and in Mr. Bilson against the Jesuites, to be due in full and ample manner without any limitation or qualification to the King, and his Heirs and Successors for ever,* they add in §. 2. *We are so far from judging the said Supremacy to be unlawful, that we are persuaded that the King should sin highly against God, if he should not assume the same to himself, and that the Churches within his Dominions should sin damnably, if they should deny to yield the same to him; yea, tho the STATUTES of the Kingdom should deny it to him.* And they tell you in Sect. 6. *that the height of the King's Royal Dignity consists in his Supremacy.*

It is thus likewise a kind of familiar or *Vulgar Error* among *Protestants* to think that in the *ancient times* this *Fundamental Assertory* part of your Oath that *the King is the only Supreme Governor of this Realm*, was not allow'd. Long before the *Rescript* of the *University of Oxford* to *Henry the 8th, A. 1534.* mention'd that *he was next under God their happy and Supreme Moderator and Governor*, and on which being brought into the *Parliament House*, an *Act* passed whereby the King was declared *Supreme Head and Governor of the Church*, and long before it was declared by the *Parliament 16. R. 2. c. 5.* that the *Crown of England* hath been so free at all times, that it hath been in no earthly subjection, but immediately subject to God in all things touching the *Regality of the same Crown*, and to none other and long before *Bracton's* writing in the *Reign of H. 3. Omnis quidem sub Rege, & ipse sub nullo sed tantum sub Deo*; and *ipse autem Rex non debet esse sub homine, sed sub Deo, &c.* you will find (if you look into *Coke's 4th Instit. c. 74.*) that in the Law before the *Conquest*, the style runs, *Rex autem quia Vicarius summi Regis est, ad hoc est constitutus, ut Regnum terrenum & populum Domini & super omnia sanctam veneretur Ecclesiam ejus & regat, &c.* and where he tells you of the style of King *Edwin* in his *Charters*, viz. of *Anglorum Rex, & totius Britannicæ telluris Governator & Rector.* And he there refers likewise to several Grants made by *Abbots and Priors* to King *E. 4.* wherein they style him by these very words *Supremus Dominus noster.*

But that he might *perimere litem*, as to the point of the ancientness of the King's *Supremacy*, he there referreth to the judgment of *Parliament* declared in the *Statute of 24°. H. 8. c. 12.* viz. *That by divers authentick Histories and Chronicles, it is manifestly declared and expressed, that this Realm of England is an Empire, and so hath been accepted in the World govern'd by one Supreme Head and King, &c. unto whom a Body-Political, compact of all sorts and degrees of People divided in terms and by names of Spirituality and Temporality been bounden and owen to bear next unto God, a natural and humble Obedience, &c.* And here I am led to tell you, that as it is on this *Foundation* of the King's being the *Supreme Governor and Ruler of all sorts and degrees of men* thus anciently acknowledged by our *Roman-Catholick* forefathers, that the *Regal Power of Dispensing*

sing with the *Laws* that were *Penal* by *Incapacity*, and particularly in order to the Crown's being *enabled* to command the *Obedience* and *Service* of all *Estates* and *Degrees* of men, was built, so it is on the same that the *Usurpations* of the *Papal* *Dispensative* Power of that kind were opposed. I shall before we part give you instances hereof.

A. I thank you, but shall here tell you, that the Expression you used just now about the *King* being *disabled* by his *Subjects* being *so*, hath overcast my thoughts with some kind of horror.

B. I cannot help it; but if you will have me speak with the frankness of a *Philosopher*, concerning the *Nature* of things, the *disabling* of the *Subjects* must have that effect in *Nature*, and of the *disabling* of their *Country* too. And I think too you gave me a *hint* for some such thought at our last meeting. If you do but consider the *Services* done to Monarchs by that abject Nation of the *Jews* (and who by *Tacitus* were call'd the *Vilissima pars servientium*) and how in our *Saviour's* time they were serviceable to the *Roman* Empire in the Collection of the *Customs*, and how much they have been since and still are useful to the *Grand Signior*, and to many *Christian* Princes by gathering in their *Imposts*, you will easily imagine the loss that would redound to Princes by *Religionary Heterodoxy* disabling any to serve them.

It is but natural to men of the most *inquisitive* and penetrating thoughts to differ from many Points of *Theology* receiv'd by Princes and their People: and since such *heterodoxy* doth *difficult* their access to *Preferment*, it is but Natural to them by their working Thoughts and Industry to arrive at the excelling the duller *Orthodox* in whatever course of life they take, and by that means to try to *push* on their way into their *Prince's* favour, and consequently to have very sharp *regrets* against any Methods that would *incapacitate* them for it.

And as if this *Civil* Death were to Men of great Thoughts the *terrible* of *terribles*, and what as hindring them from serving their Prince and Country were like Burying them alive, I shall shew you how a Man of great Abilities, and who had made a great Figure in the Church and State, resented it in the *Conjuncture* of A. 1640. I mean Archbishop *Williams*, who in his famous *Speech* in *Parliament* that year against the *Bill* that afterward passed into a *Law* to *Disable* Persons in *Holy* Orders from exercising any *Temporal* Jurisdiction, doth thereupon represent it, that under a *CAIN's* mark an eternal kind of disability or incapacity is laid on them from enjoying hereafter any of those *Rights*, *Favours*, or *Charters* of former Princes, and which is the heaviest Point of all without killing of Abel, or any Crime laid to their charge, more then that in the beginning of the *Bill* 'tis said roundly, and in the style of *Lacedæmon*, that they ought not to intermeddle, &c. And what his thoughts were of the Injustice of such incapacity put on the *Clergy*, and of the odiousness of that Punishment of incapacity, appears by what he afterward saith, viz. I come to the 4th part of this *Bill*, which is the manner of the inhibition every way heavy in the *Penalty*, heavier a great deal in the incapacity. In the weighing the *Penalty*, will you consider the small wyers; that is, poor Causes that are to induce the same; and then the heavy load that hangs upon these wyers? It is thus. If a Natural Subject of England, interess'd in the *Magna Charta* and *Petition of Right*, as well as any other; yet being a Person in *Holy* Orders shall happen unfortunately to *Vote* in *Parliament*, to obey his Prince by way of *Council*, or by way of a *Commissioner* be required thereunto, then is he presently to lose and forfeit for his first offence all his *Means* and *Livelihood*, &c. This *Peradventure* may move others most, but it doth not me. It is not the *Penalty*, but the *Incapacity*,
and

and as the Philosophers would call it, the Natural impotency imposed by this Bill on men in holy Orders to S E R V E the KING, or the S T A T E in this kind, be they otherwise never so able, or never so willing, or never so vertuous, which makes me draw a kind of Timanthe's veil over this Point, and leave it without any amplification at all to your Lordships wise and inward Thoughts and Considerations.

But if with so much thunder of Passion as well as lightning of reason that learned Speech from the Bishops Bench did so much resent the punishing the Clergy with disability to execute secular Offices, and to have the honour of serving their Prince and Country therein, and for the imposing of which disability that known place of Scripture, 2 Tim. 2. 4. No man that wars, entangles himself with the Affairs of this life, was alledged in the House as thus disabling them by the Law Divine (and as to which the Bishop in his Speech gives a learned Answer) we may well imagine how Lay-men of good Births and Educations, and whose Diligence employ'd in Courts and Cities, and Camps abroad, may have qualify'd them here to stand before Kings, must necessarily aggravate in their thoughts the dishonour of incapacity to serve their Prince in secular Employments.

A. Was that Speech of the Archbishop ever printed?

B. You will find it in the *Apology for the Bishops to sit and Vote in Parliament*, printed in London A. 1661. And he hath in that Speech some other Expressions which corroborate that obvious natural notion of the King and Kingdom being disabled by disabling of Clergy-men from secular Employments. For having reflected on the Bill for disabling them from sitting in the Star-chamber and at the Council-table, sitting in Commissions of the Peace, and other Commissions of secular Affairs, he afterward saith, But, my noble Lords, this is the Case; Our King hath by the Statute restored to him the Headship of the Church of England. And by the word of God he is custos utriusque tabulae. And will your Lordships allow this ecclesiastical Head no ecclesiastical Senses? No Ecclesiastical Persons to be consulted with at all? No not in any Circumstances of time and place? If Cramner had been thus dealt with in the Minority of our young Josias King Edward the 6th. what had become of that great work of our Reformation in this flourishing Church of England?

A. The truth is, it being a kind of a Rule that all Men of Parts who have been liberally educated, and even those excelling in mechanical professions, do naturally desire to serve the King, and standing before Kings having been annext in Scripture as a reward to diligence in ones calling; a Mark of disability put on Lay-men to serve their Prince, cannot but tempt them to passion on that account more then it ought to have troubled the Bishop when he call'd it a Cain's Mark, in regard you have mention'd it, that Clergy-men to some did seem by the Law-Divine disabled from secular Employments.

B. According to the Opinion of Judge Vaughan in his Reports, who in Hill and Good's Case there makes a lawful Canon to be the Law of the Kingdom as well as an Act of Parliament, and whatever is the Law, is as much the Law as any thing else that is so, for what is Law, doth not suscipere magis aut minus, they were by the Canon Law disabled from intermeddling in secular Affairs: And according to his description of malum prohibitum in Thomas & Sorrel's case p. 358. you may say they were by the Statute so disabled from intermeddling. For he there saith malum prohibitum is that which is prohibited per le Statute. Per le statute is not intended only an Act of Parliament, but any obliging Law or Constitution, as appears by the Case: for it is said the King may dispense with a Bastard to take Holy Orders, or with

a Clerk to have two Benefices with Cure, which were mala prohibita by the Canon-Law, and by the Council of Lateran, not by Act of Parliament.

The Lateran Council his Lordship there means, is that held under Alexander the 3d A. 1180, and which Council hath it in these words, viz. *neque servi neque spurii sunt ordinandi*: And, *uni plura ecclesiastica beneficia non sunt committenda*.

And therefore the Bishop in that Speech saith, That this Doctrine of debarring Persons in Holy Orders from secular Employments, is the Doctrine of the Popish Church, and first brought into this Kingdom by the Popes of Rome and Lanfrank, Anselm, Stephen Langthon, and Othobone and with an intent to withdraw the Clergy from their receiving Obligations from either King or Lords, and make them wholly dependants on the Popacy.

But Bishop Jewel tells us in his Apology p. 122. that *Veteres Canones Apostolorum illum Episcopum, qui simul & Civilem magistratum, & ecclesiasticam functionem obire velit, jubent ab officio summo veri*.

A. Yet notwithstanding their being disabled by the antient Canons, and the *Nemo militans*, &c. 2 Tim. 2. as often alledged against them by the Canons and Canonists, I think they were frequently employ'd by our Princes in the greatest Offices of the State.

B. They were so, and the Disability of a whole third estate as to bearing secular Offices did not stand in the way of Prerogative. I have read it in Fuller's Church-History that in the year 1350. the Lords and Commons in Parliament did find themselves aggrieved that the Clergy-men engrossed all secular Offices, and thereupon presented the ensuing Petition to the King according to this effect, insisting only in the substance thereof, viz.

1370.

Ex Rot. Parl. in turr. Lond. in 45. Ed. tertii.

And because that in this present Parliament it was declared to our Lord the King, by all the Earls, Barons and Commons of England, that the Government of the Kingdom hath been performed a long time, by the Men of Holy Church, which are not justifiable in all Cases, whereby great mischiefs and damages have happen'd in times past, and more may happen in time to come, in disheriting of the Crown and great prejudice of the Kingdom, &c. that it will please our said Lord

Justifiables in the French originals. Quere, Whether not able to do justice, or not to be justify'd in their Employment as improper for it.

the King that the Lay-men of the said Kingdom which are sufficient and able of Estates, may be chosen for these, and that no other Person be hereafter made Chancellor, Treasurer, Clark of the Privy-Seal, Barons of the Exchequer, Chamberlain of the Exchequer, Comptroller, and all other great Officers and Governors of the said Kingdom, and that these things be now in such manner establish'd in form aforesaid that by no way it may be defeated, or any thing done to the contrary in any time to come, saving to our Lord the King the Election, and removing of such Officers, but that always they be Lay-men, such as is abovesaid.

To this Petition the King return'd that he would ordain upon this point, as it should best seem to him by the advice of his good Council.

In fine, you see that tho the Clergy-men were thus disabled by the general Customs and Usage of the Realm, and by lawful Canons and provincial Constitutions, accounted by that Judge beforemention'd to be *tanta-mount* to Acts of Parliament: yet you see our Kings did frequently dispense with these Customs, lawful Canons and Constitutions. And tho the Office of Bishops renders them guardians of the Canons, yet you see how tender they have been of the Regal power of Dispensing therein.

And as that saying of Wicliffe, however censured in the Council of Constance, may perhaps with a little help be reduced to Orthodoxy, viz. That none should be Excommunicated by any Prelate, unless he know him Excommunicated

municated by God, so with parity of reason it may be said, that none should be totally *disabled* by any Prince from serving him, unless he knew him really *disabled* by God; and especially when he knew the contrary, and that the Services of the great men of the *Clergy* had so often been successfully employ'd at the Helm of *State*: and when for the honour of *Clergy-mens* Council some of the most profound pieces of State-Policy our *English* Story hath in it are to be attributed to *Clergy-mens* officiating in their Princes *Councils*, and as for Example, when by the figure that Bishop *Morton* made at the Helm, he did make up the dismal breach, and united the two Houses of *York* and *Lancaster* in the Happy Marriage between *Henry* the 7th and the Lady *Elizabeth*, and when Bishop *Fox* who was Lord Privy Seal, did by his Advice lay the Foundation of a more happy Union between the Kingdoms of *England* and *Scotland*, by the eldest Daughter of *Henry* marrying *James* of *Scotland*, and the younger matching into *France*, that so on their ever coming to inherit, *Scotland* might be annex'd to the Imperial Crown of *England*, and *England* not be annex'd as a Province to *France*, and for the Consequences of which Advice, both *Englishmen*, and *English* and *French* Protestants have so much cause to say, *We Praise thee, O God, &c.*

And I am here minded of what *Fuller* tells us on *A. 14. H. 4. viz.* It was moved in Parliament that no *Welshman*, Bishop or other, shall be Justice, Chamberlain, Chancellor, Treasurer, Sheriff, Constable of a Castle, or Keeper of Records, or Lieutenant in the said Office in any part of Wales, or of Council to any *English* Lord, notwithstanding any Patent made to the contrary, Cum clausula non obstante licet Wallicus natus: and that it was answered, that the King willeth it, except the Bishops: and for them and others which he hath found good loyal Lieges toward him, our said Lord the King will be advised by the Advice of his Council. *Ex Rot. Parliamentariis in turri Lond. in hoc Anno:* which Citation *Fuller* professeth to be taken out of the Authentick Records in the Tower.

There passed an Act of Parliament in the 4th year of *Henry* the 4th, by which it is Enacted, That no *Welshman* shall be Justice, Chamberlain, Sheriff, Coroner, nor other Officer in any part of Wales, notwithstanding any Patent to the contrary with the Clause of Non-obstante: and yet without Question (saith my Lord Coke, 12th Rep.) the King might dispense with this Statute: but you see how on the Parliaments resenting the Dispensations the Act had met with, and particularly in Bishops having contrary to the tenor of the Act served the Crown in Secular Employments, the King particularly adhered to the exercise of his *Dispensative* Power in their Case.

It was upon the ground of this Assertion, viz. Of the Crown's being entitled to Command the Services of all Subjects, that some Papists were employ'd by Queen *Elizabeth* in Affairs of the State, notwithstanding any disability incurr'd by not taking the Oath of Supremacy. And Viscount *Montacute*, tho a Roman Catholick, was (as *Cambden* tells you) sent by her as her Embassadour to the King of *Spain*, and employ'd too about the Business of the Scots, and to do right to the Protestant Religion. Sir *Edward Carne*, likewise a Roman Catholick, was sent by her as her Ambassador to the Pope.

And as to the sense of many of that Queen's most renowned Ministers of State about the Deprivation of the Nonconformist Divines disabled eo Nomine from their Ministry, being Penal to the People, the Author of certain Considerations tending to promote peace and good will among Protestants, hath mention'd it, that Eight of that Queens Privy Councillors writ a Letter in their

their favour to the Bishops of Canterbury and London, in the close whereof 'tis said, viz. Now therefore we for the Discharge of our Duties, being by our Vocation under her Majesty bound to be careful that the Universal Realm may be well govern'd according to the Honor and Glory of God, and to the discharge of her Majesty being the Principal GOVERNOR of ALL her SUBJECTS under Almighty God, do most earnestly desire your Lordships to take some charitable Considerations of these Causes that the PEOPLE of THIS Realm may not be DEPRIVED of their Pastors being Diligent, Learned and Zealous, tho in some Points Ceremonial they may seem doubtful only of Conscience, and not of wilfulness, &c. Your Lordships loving Friends William Burghly, George Shrewsbury, A. Warwick, R. Leicester, C. Howard, J. Crofts, Chr. Hatton, Fra. Walsingham.

And what sence the House of Commons had in the beginning of the Reign of King James the First, of the Disabling of several of the Nonconformist Divines being a Gravamen to the Realm, appears by the Petition of that House to the King, Anno 1610. as I find it in Mr. Nye's Beams of former Light, p. 103. viz. Whereas divers painful and learned Pastors that have long time travell'd in the work of the Ministry with good Fruit and Blessing of their Labour have been removed from Ecclesiastical livings, being their free-hold, and from all means of maintenance, to the great grief of sundry your Majesty's well-affected Subjects, we therefore humbly beseech your Majesty would be graciously pleas'd that such deprived and silenced Ministers living quietly and peaceably, may be restored, &c.

But, in short, if you consider that the great Cause that excited the Loyal Zeal express'd in the Statute of the First of Queen Elizabeth (and whereby so many Statutes of Harry the 8th against the Papal Usurpations were revived) was that the King and Kingdom might not be disabled by Clergy-men not being Subjects to the Crown through Papal Exemptions, and that the Crown might Cum effectu be restored to its Government over them, i.e. of the whole Realm, and that our Monarchs should by means of such Exemption be no more disabled from being Governors only IN their Realm, and not OF it (and as when the Right of two Persons claiming to be Princes of Tuscany was before the Pope's Arbitrage, he determin'd that one of them should be A Prince IN Tuscany and the other OF it,) you will find that this Supreme Power over all Persons, as inherent in the King, is the very Lapis Angularis on which your Abjuration of foreign Jurisdiction, and on which the whole Promissory part of your Oath are built. For when you have first declared in your Oath that the King is the only Supreme Governor of this Realm, as well in all Spiritual or Ecclesiastical things or Causes, as Temporal, and then what followeth upon that, viz. That no foreign Prince, Person, Prelate, State, or Potentate, hath or ought to have any Jurisdiction, Power, Superiority, Preheminence or Authority Ecclesiastical, or Spiritual within this Realm, you say, And THEREFORE I do utterly renounce and forsake all foreign Jurisdictions, &c. And do promise that from henceforth I shall bear Faith and true Allegiance to the King's Highness, &c. and to my Power shall assist and defend all Jurisdictions, &c. granted or belonging to the King's Highness, &c. or united and annex'd to the Imperial Crown of this Realm. Thus then the Reason why you abjure foreign Jurisdiction (for you ABJURE when you swear to quit and forsake, as Mr. Nye in his Observations on that Oath tells us) and why you promise to assist and defend all Jurisdictions granted or belonging to the King whose Subject you are) is resolved into the Kings being the only Supreme Governor of this Realm, as well in all Spiritual or Ecclesiastical things or Causes as Temporal.

I am

I am here further to tell you, that when by your *Oath* you have renounced the Pope's *Dispensative* Power; you have asserted, and have obliged your self to defend the Jurisdiction of the King's *Dispensative* Power in the room of it: and the defence of which was the great design and drift of the entire *Statute* of 1°. *Eliz.* and of your *Oath* therein, and no collateral thing.

A. I have been and am pleas'd with that *Prospect* you have given me into the *Region* of the *Dispensative* Power used by the *Crown* in the *Interpretation* of my *Oath*, a *Region* that was before to me like the *terra Australis & Borealis incognita*: but (to deal frankly with you) I am yet to seek out the meaning of this notion last started by you, that the drift and design of the *Statute* of 1°. *Elizabethæ*, and the *Oath* was to prop up the King's *Dispensative* Power. I doubt not but you are perfectly sensible that he who speaks to that tender thing call'd *Conscience*, and about an *Oath*, ought to be tender of any point he urgeth to it, and not to wyre-draw any thing by forced Consequences that is to be offered to it as Obligatory.

B. I assure you I go by those very measures in giving you my Judgment of the design and drift of that *Statute* as I have done, and that he must put the *Statute* on the wrack that will make it speak any other meaning. Consider what the *Prefatory* part, as the key of it mentions, viz. That divers good Laws and Statutes that were made in Henry the Eighth's time as well for the utter extinguishment and putting away of all Usurped and Foreign Power, &c. as also for the restoring and uniting to the Imperial Crown of this Realm, the ancient Jurisdictions, &c. to the same of Right belonging, by reason whereof we your most humble and obedient Subjects from the 25th year of the Reign of your said dear Father were continually kept in good order, and were disburden'd of divers great and intolerable Charges and Exactions before that time unlawfully taken and exacted by such Foreign Power and Authority as before that was usurped, until such time as all the said good Laws and Statutes by one Act of Parliament made in the first and second years of the Reigns of the late King Philip and Queen Mary, &c. were repeal'd: by reason whereof they then further mention how they were then brought under an Usurped Foreign Authority to their intolerable Charges, and they thereupon desire the Repealing of that Act. Here we are given to see by their dating the æra of their being well govern'd and disburthen'd of divers great intolerable Charges and Exactions taken and exacted by Foreign Power, from the 25th of Henry the 8th, they had their eye on the *Statute* of the 25th of Henry the 8th, c. 21. entituled, *No Imposition shall be paid to the Bishop of Rome*, which sets forth how the Subjects of this Realm were impoverish'd by intolerable Exactions of great Sums of Money taken out of this Realm by the Bishop of Rome as well in Pen-sions, Censes, Suits for Provisions and Expeditions of Bulls, &c. and also for Dispensations, Licences, Faculties, Grants, Relaxations, Writs call'd *Perinde valere*, Rehabilitations, Abolitions, and other infinite sorts of Bulls, Breves and Instruments of sundry Natures, &c. wherein the Bishop of Rome hath been not only to be blamed for his Usurpation in the Premises, but also for his abusing and beguiling your Subjects, pretending and persuading them that he hath Power to Dispense with all Humane Laws, Uses and Customs of all Realms in all Causes which be call'd Spiritual, which matter hath been usurped and practised by him and his Predecessors by many years, in great derogation of your Imperial Crown and Authority Royal, contrary to Right and Conscience. For where this your Graces Realm recognizing no Superior un-

der God, but only your Grace, hath been and is free from Subjection to any mans Laws, but only to such as have been devised, made and obtained within this Realm for the Wealth of the same, or to such other as by SUFFERANCE of your GRACE and your Progenitors, the People of this your Realm have taken at their free liberty by their own Consent to be used among them, and have bound themselves by long Use and Custom to the observance of the same, not as to the observance of the Laws of any Foreign Prince, Potentate or Prelate, but as to the Customes and ancient Laws of this Realm, originally establish'd Laws of the same by the same Sufferance, Consents, and Custom, and none otherwise; it standeth therefore with natural equity and good reason, that in all and every such Laws HUMANE made within this Realm, or induced into this Realm by the said Sufferance, Consents and Custom, your Royal Majesty and your Lords Spiritual and Temporal and Commons, &c. have full Power and Authority not only to dispense but also to authorize some elect Person or Persons to dispense with those and all other humane Laws of this your Realm, and with every one of them, as the quality of the Persons and Matter shall require. And the Act after-ward mentions the *impoverishment* of the People of this Realm by the *Imposts* for Papal Dispensations, and refers twice to the Charges of the *taxa Camerae*, calling them expressly in one place, *Impositions taken to the use of the Pope and his Chambers*; and in another, the *old Tax*. And at the removal of these intolerable Charges, as they are call'd in that of the Statute of 1^o Eliz. or intolerable Exactions, as they are call'd in the 25th of Henry the 8th; that of the First of Elizabeth (as I said) had an eye in the revival of this of Henry the 8th; and the Consideration of which Statute will be of importance to us as to that part of our Promissory Oath that refers to our defending the Jurisdictions, &c. united and annex'd to the Imperial Crown of this Realm; that Statute of Henry the 8th having in its Prefatory part express'd the Pope's dispensing here to be in derogation of the King's Imperial Crown and Authority Royal, and there afterwards mentions how the Imperial Crown of this Realm suffer'd by those Papal Exactions. And the Preface of the Statute of 1^o Eliz. refers in general to divers good Statutes made in Henry the 8th's time, for the Restoring and uniting to the Imperial Crown of this Realm the Jurisdictions, Authorities to the same of Right belonging, and which ushers in the reference to the Statute of the 25th of Henry the 8th: and then in the following Clause 'tis said, that for the repressing of the usurped Foreign Power, and the restoring the Rights, Jurisdictions and Preheminences belonging to the Imperial Crown of this Realm, &c.

Thus then you see that I have fairly shew'd you out of this Statute of Queen Elizabeth, where your Oath is situated, that the Restoration of the Ancient Jurisdiction of the Crown in dispensing, was restored to the Imperial Crown of this Realm, the which the Pope had formerly usurped on in Matters both Ecclesiastical and Civil, and which you are obliged to defend against any Papal or Popular Usurpations whatsoever. I was enforced for your clearer understanding of this Statute to conduct you to the 25th of Henry the 8th, and where you find several Expressions that make it the right of the Imperial Crown of this Realm to dispense with the disability or incapacity incurr'd by Law. You have there the word REHABILITATION, and what is called there the Writ of *Perinde valere*, which Blount tells you in his Νομο-λέγιον is a Dispensation granted to a Clerk, who being defective in his title to a Benefice, or other Ecclesiastical Function is de facto admitted to it. And it takes Appellation from the words, which make the faculty as Effectual to the party DISPENS'D WITH, as if he had

had been actually *CAPABLE* of the thing for which he is dispens'd with at the time of his Admission. A. 25. H. the 8th, it is call'd a Writ.

You have in your Oath acknowledg'd the Crown of this Realm to be a Crown Imperial, and if you had not by the Comparing the two Statutes together, found that the Power of *Rehabilitation* of Persons disabled was restored and united to the Crown, as what was *anciently* due to it, and used by it; yet on the Consideration of the Crown here being call'd Imperial, and of its being a *res judicata* among all that write of the Power of such Crowns that a Dispensation with Persons in this kind, is allow'd them as one of the *jura Majestatis*, you ought by virtue of your Oath to be very careful how you deny this mark of *Soveraignty* to the Imperial Crown of this Realm which you see wants none of the other.

I think I have now let you see that I have here put no forced or wyre-drawn Consequences on you, and would hate to do any thing of that Nature in common Discourse, and about a common or trivial matter, and much more in the concern of an Oath. You know I have often prais'd that Letter in *D' Ossal* where he reflects on some Men thus, viz. *Le sont gens d'esprit, de sçavoir & de labeur, qui l'ont forgé, mais de fort mauvaise foy, ne faisant Conscience, & n'ayans honte de traiter un cas de Conscience, & si important a la Religion Catholique & a toute la Chrestiente, en chichaneurs & sophistes.*

But further yet to let you see that in minding you in point of Conscience, and by virtue of this your Oath; duly to prop up the Regal Power of Dispensing with Incapacity, I put no wyre-drawn Consequences upon you, and do with the simplicity that becomes a Christian speak to you *ex animo*, I shall again give you the Judgment of Parliament in the Case, and to that end shall first direct you to the Statute of 37^o. H. 8. c. 17. that begins, In most humble wise shew and declare to your Highness your most faithful, humble and obedient Subjects, that where your most Royal Majesty is and hath always justly been by THE WORD OF GOD, supreme head in the Earth of the Church of England, and hath full power and Authority to correct, punish, and repress all manner of Heresies, Errors, Vices, &c. and to exercise all other manner of Jurisdictions commonly call'd Ecclesiastical Jurisdiction, nevertheless the Bishop of Rome and his adherents minding utterly as much as in him lay to abolish, obscure, and delete such Power given by God to the Princes of the Earth, whereby they might gather, and get to themselves the Government and Rule of the World, have in their Councils and Synods Provincial made divers Ordinances and Constitutions that no LAY or Married man should or might exercise any Jurisdiction Ecclesiastical, nor should be any Judge or Register in any Court commonly call'd Ecclesiastical Court, &c. as by the said Councils and Constitutions Provincial appeareth, which standing and remaining in their effect not abolish'd by your Grace's Laws, did sound to appear to make greatly for the said usurp'd Power of the Bishop of Rome, and to be directly repugnant to your Majesty as Supreme Head of the Church, and Prerogative royal, your GRACE being a LAYMAN, and albeit the said Decrees, Ordinances and Constitutions by a Statute made in the 25th year of your Reign be utterly abolish'd, &c. But forasmuch as your Majesty is the only and undoubted Supreme Head of the Church of England, and also of Ireland, to whom BY HOLY SCRIPTURE all Authority and Power is wholly given to hear and determine all manner of Causes Ecclesiastical, and to correct Vice and Sin whatsoever, and TO ALL SUCH PERSONS AS YOUR MAJESTY SHALL APPOINT THEREunto, that in Consideration thereof, as well for the Instruction of Ignorant Persons, &c.

and

and setting forth of your Prerogative Royal and Supremacy: It may therefore please your Highness, that it may be Ordain'd and Enacted, that all and singular Persons as well *LAY* as those that be now Married or hereafter shall be Married, &c. which shall be made, ordain'd, constituted and deputed to be any Chancellor, Vicar General, &c. Scribe or Register by your Majesty, or any of your Heirs and Successors, or by any Archbishop, Bishop, &c. may lawfully execute and execute all manner of Jurisdiction commonly call'd Ecclesiastical, &c.

Here you see the *enacting* clause founded on the *previous* solemn acknowledgment of the King's supremacy, and on his having the power given him, not by *Parliaments* or *People*, but by *SCRIPTURE*, to appoint such to be ecclesiastical Judges who were by Custom and by the *Laws of Councils* and *Provincial Synods* formerly equivalent to *Acts of Parliament*, incapacitated so to be. And from whence it is consequently apparent that no positive humane Laws whatsoever inflictive of Penal incapacity could against the Right inherent in him by the positive Law of God, oblige him not to dispense with the others by his supreme Power when he found it necessary so to do. For 'tis on all hands confessedly true, that *Parliaments* can no more then the Bishop of Rome delete such Power as is given by God to the Princes of the Earth.

A. But because a *Parliament* declared that such a supreme Power is given by the *Scripture* to Princes, you know it doth not follow that it is so. And moreover you know that was a *Popish* Parliament that so declared it.

B. But I likewise know that as 'tis in my Lord Chief Justice Vaughan's Reports in Hill and Good's Case, that if a Marriage be declared by Act of Parliament to be against Gods Law, we must admit it to be so, for by a Law, that is, an Act of Parliament it is so declared; so that Act of Parliament having declared it, that by Holy Scripture all Authority and Power is wholly given to the King, and to all such Persons as he shall appoint to hear and determine, &c. tho such Persons were by a lawful Canon incapacitated so to do (a Canon that that Judge in the words immediately following the other makes to be the Law of the Kingdom as well as an Act of Parliament) we must admit such Power and Authority inherent in the King's Supremacy by the Word of God, thus to supersede incapacity. And whether the incapacitating Canons were lawful ones or no, it is not *tanti* to enquire, since as we know a Power inherent in Kings by the Word of God, cannot be either by lawful Canon or Act of Parliament taken away: and much more ought such Power to be construed and admitted as inherent in him by the Scripture, while the Act of Parliament continues in being.

But I shall yet bring the acknowledgment of your Prince's Supremacy in this point as thus founded on Scripture, closer to your Conscience by letting you see that you have not only the Judgment of a *Popish* Parliament in the Case, but of that very Statute of Queen Elizabeth that enjoyns your Oath of Supremacy; for it revives that Statute of Harry the 8th and all and every branches and Articles in it, as you will find it in your Statute-book.

A. You have mention'd one thing in that Statute of Harry the 8th that doth a little startle me: and that is that he and the three Estates apply'd there the design of keeping up those Canons of Councils and provincial Constitutions that incapacitated *LAY MEN*, as level'd at the exclusion of the King himself, not only from his Prerogative, but from being in a capacity to exercise ecclesiastical Jurisdiction as supreme head of the Church, as I find by those remarkable words, YOUR GRACE BEING A LAY-MAN.

B. You

B. You do well to take notice of that, and are therefore not to wonder at it if you should hear your Prince who was a *Dissenter* to the Church of England, and others concern'd for him, to have apprehensions of what prejudice might be meant him by some subtle Projectors of Laws, to incapacitate all *Papists* and *Presbyterians* from acting in any Office in Church or State, however many loyal Persons might be far from intending such prejudice thereby: his Grace being a *Papist*, or *Presbyterian*.

A. I must confess that if the Kings Power of commanding the Services of all his Subjects be inherent in him by the Word of God, and as such declared by Parliament, any Mens endeavours to take away that Power, may well be imputed to great incogitancy.

B. You say right: and I was hence induced to wonder, that after the Act and Acknowledgment of his Majesty's Prerogative in the Choice of his Officers of State-Councillors and Judges had thus passed in the first Parliament of Scotland in the late King's reign, viz. The Estates of Parliament considering the great Obligations that lie upon them from the Law of God, the Law of Nations, the Municipal Laws of the Land, and their Oathes of Allegiance to maintain and defend the Sovereign Power and Authority of the King's Majesty, and the sad Consequences that do accompany an encroachment upon or diminution thereof, do therefore from their sense of humble duty declare, that it is an inherent privilege of the Crown, and an undoubted part of the Royal Prerogative of the Kings of this Kingdom to have the sole Choice and Appointment of the Officers of States and Privy Councillors, and Nomination of the Lords of Session as in former times, and that the King's sacred Majesty, and his Heirs and Successors, are by virtue of that Royal Power which they hold from God Almighty over this Kingdom, to have the full exercise of that Right, &c. any Men could by a following Act of Parliament there be incapacitated to serve their Prince in those Stations.

I shall here tell you, that the incapacitating a few *Papists* or *Quakers* *Presbyterians* or *Anabaptists* to serve their Prince may to some seem *materia levis*, and that the King and his Realm cannot suffer much by the disabling a small party of men from publick employments. But it is otherwise. And let any one who hath observ'd but two or three of the late great transactions of the age here, as for instance, the late King's Restoration, the throwing out of the *Exclusion-Bill*, the turning of the current of Faction in our Metropolis, and consider how much in each depended on the Talents of ONE man, he will not wonder at him who shall affirm that the incapacitating of but one Man may be very fatal to the Common-weal.

I suppose you cannot have forgot the Verse you repeated to me out of the famed Poem of *Absolon* and *Achitophel*, viz. *So much the weight of one brave Man can do*. And Providence made use of his weight for the Publick good by the figure he made in his Prince's Councils notwithstanding the Address of the Commons to have him thence removed: as likewise of the weight of another of those noble Persons heroical loyalty in the administration of the Government, notwithstanding an Address from the Commons to his Prince to remove him from it.

I doubt not but you have read it in *Cromerus* his History of Poland l. 7th. that the King of Poland being dead, the Kingdom was offer'd to *Lescus* a Nephew of *Casimire's*, on condition he would banish *Gordoritus*: and that *Lescus* refused the Crown rather than he would banish so faithful a Counsellor. And you cannot be ignorant of the weight of one man in the Nicene Council, I mean *Pophnutius*, who by citing those words of the Author of the Epistle to the Hebrews, *Marriage is honourable in all*, &c. turn'd the

stream of the whole *Council* when they were going to give a Decree against the *marriage* of *Priests*.

You know of how much *weight* one Man would have proved in that place in Scripture, *Ezek. 22. 30.* *And I sought for a Man among them that should make up the Hedg and Stand in the Gap, &c.* And that the *wise* man hath told us, that it was by the *wisdom* of ONE poor Man, that a City was deliver'd.

You cannot but have observ'd, that almost all the great and noble *inventions* in nature, owe their births to a single Person; and that particularly one poor Man by his *Wisdom* discover'd the *American* World. I need not mind you of the introduction of Laws by one Man in several of the old *Græcian* Politics; and of the great Ocean of the *Civil-Law* yet encompassing the World, having so narrow a Spring-head, as the head of a single Person's introducing the *Laws* at *Athens*.

You have read of the *unus homo nobis cunctando, &c.* and of the *tantum potuit unius Viri fortuna & virtus*.

You know how Queen *Elizabeth* express'd her *value* of the *weight* of one Man, I mean our great Navigator Sir *Francis Drake*, by her refusing to *commissionate* competent Judges to try him for putting to death *Dourishius* in *America*, and after an *Appeal* brought about it by the next of Kinn to him: and how afterward King *James* the first shew'd his *value* of the *Talents* and usefulness of Sir *Walter Raleigh*, by employing him in his Service, with Power of the Life and Death of others, whilst he lay under the highest *disability*, by being attainted of High-Treason.

It would be somewhat like *pedantry* to digress too far into such a *Common Place*; and wherein almost infinite instances will be tumultuarily crowding into any Mans thoughts. But I shall here further tell you, that from the notion of *ludit in humanis, &c.* and of him who *sitteth* in the *Heavens* having some *Disablers* in *derision* who *imagined* a *vain* thing, and from *Heavens* often choosing to make that *Stone* that the *Builders* rejected and disabled, the *Head of the Corner*: and from the severe threatening in *St. Matthew* against him who shall offend ONE of these little ones who believe in *Christ*, and from the caution there of *despising* not ONE of these little ones, you may occasionally call to mind your *moral* Offices of *honouring* all Men, and of adoring the *D. vine* Providence, when it makes such Persons its instruments in the preserving of Nations, who by any *syst. mes* of *Politics* or *Laws* were disabled from being such.

A. I thank you for the occasion you have given me to meditate about this, and do think that Man having the *style* of *vain* apply'd to him in *Job. c. 11. v. 12.* *Vain Man WOULD be WISE, tho Man be born like a wild Asses colt*, and there made a *politic-would-be*, and not only resembled to a Brute, but made to be *born* like one, and of Brutes like to the *Asses*, and of *Asses* to the *wild* one, and even of such to the *wild Asses Colt*, and being thus under an incurable complication of *natural* Incapacities, ought to be very careful how he goes about, by any *artificial* incapacities, to afflict or reproach any of his Race that are *born* to too many, and much more to *limit* the *Wisdom* of Providence in the choice of its *instruments*, and to take the work of the *cicuration* of the *untamed* World out of God's hand.

And here I shall afford you some amends for the pleasant historical hints I just now had from you, by observing to you in short what partly makes for your purpose; that tho as *Palæotus* in his learned *Tactique de Nothis spurisique filiis* hath mention'd, such were *tam Mosaicâ quam Pontificiâ ac Civili lege omnino detestabiles*, and as infamous disabled particularly by the

the *Canon-Law* from ecclesiastical Dignities, yet to shew how these *outcasts* of the *Law* were by Heaven rendered instrumental in the Government of the World, he there saith, *Notantque hi qui historias ab origine Mundi sunt exorsi, artes omnes & scientias ab hujusmodi sobole, à filiis scilicet Lamech fuisse inventas, & ab eis subtiliora omnia & utiliora excogitata*: and he concludes his Book by *instancing* in the Names of many *Europæan* Kings and Princes and Roman *Emperors*, and particularly of *Constantine* the great, and likewise of *Popes* of *Rome*, who were of the base-born *Class* of Mankind.

Both God Almighty and our Princes, can make *Vessels of Honour* of what *Clay* they please, and *place* them *where* they will.

B. You find it DECLARED in the *Statute* of the 31th. of *H. 8. c. 10.* that It appertaineth to the King's *Prerogative Royal* to give such *Honour*, *Reputation* and *Placing* to his *Councillors*, **AND OVER** his *Subjects*, as shall be seeming to his most excellent *Wisdom*; and so when King *James* gave Sir *Walter Raleigh* tho dead in *Law*, and labouring under the highest *disability* beforemention'd, the *Power* and *Honour* of commanding the lives of others, he did but what appertain'd to his *Prerogative*.

And thus when King *Harry* the 8th by his *Prerogative*, like the *Sun* both raising and gilding a poor *Vapour*, made *Cromwel* who was the Son of a Black-smith *Lord Privy-Seal*, and likewise enabled him, tho a *Lay-man*, to be his *Vice-gerent* for *ecclesiastical* Causes, and however *incapacitated* by some positive humane *Laws* to make that figure, he did but *uti fure suo*.

And I shall tell you as to the subject of the *weight* of one Man, or the consequences of *disabling* one Man, that we were upon; if you consider how much the excesses of the *Papal* *Usurpations*, and the *over-balance* of the *Monastic* *Revenue* in the Nation, were removed by the *parts* and *endowments* of *Cromwel* the *Vice-gerent* in Matters *Ecclesiastical*, you may easily imagine that if the measures of the *Canon-Law* and *Canonists* and the long receiv'd *customs* or any humane *Law* had then prevail'd for the *disabling* of *Cromwel* *cum effectu* from bearing *Office* or *intermeddling* in *Ecclesiastical* *Jurisdiction* as the Kings *Vice-gerent*, what a *Church* of *England* we should have at this time enjoy'd.

You may well imagine how much the *Disabling* of *Lay-men* from intermeddling in *ecclesiastical Jurisdiction* had passed for a *general* *Custom* here, when Bishop *Downham* in the *Defence* of his *Consecration Sermon* p. 185. saith that as for *lay-Chancellors* or *Commissaries*, the *Bishops* in the times of *S. Austin* and *S. Ambrose* had none: and that not so much as the *Steward* of a *Church* might be a *Lay-man*: and when the *Puritan* Writers did still upbraid our *Discipline* on the account of the incapacity of *Lay-men* to be *Bishops* *Chancellors*, as adjudged by the ancient *Canons*; and with the *Canon* of *indecorum est laicum esse vicarium episcopi*, &c. and by which *Canon* the Bishop who made a *Lay-man* his *Vicar*, was declared to be *contemptor Canonum*.

But it was the *Regal* *Power* of *Dispensing* with the *Canons* and *Customs* that disabled *Lay-men* from intermeddling in *ecclesiastical* *Jurisdiction*, that laid the *foundation* of the *Reformation* in *Harry* the 8th's time, as it was the same *Power* of dispensing with the *Canons* and *Customs* that disabled *Clergy-men* from intermeddling in *secular* *Employments*, that perfected the *superstructure* of it in the reign of *Edward* the 6th that young *Josias*, as was before mention'd.

Fuller tells us in his *Church-history* that *Harry* the 8th's making a *Lay-man*

man his Vicar-general was the greatest instance of his ecclesiastical Power that ever was given. And my Lord Herbert in his Harry the 8th doth seem to reflect on Cromwel's not being thought capable of that Office: for his words on his being made the King's Vicegerent are, *It was thought strange by the People, because there was no Example of any Kings of Israel tho lawfully in their own Persons enjoying the mixt Power of the Temporal and Spiritual, or of the Pope's, having deputed Ecclesiastical Power to a Lay-man.* But as to his saying that there was no Example of the Pope's deputing Ecclesiastical Power to Lay-men, I shall observe that his Lordship had not consider'd that according to the *Glosse in C. bene quidem. Distin. 96. Laicus potest excommunicare ex Papæ delegatione:* and that tho a Bishop cannot by the Canon-Law delegate his Power to a Lay-man, for that a Bishop is not above the *Jus Commune Positivum* of the Pope, yet the Canonists hold that the Pope by the Plenitude of his Power may dispense with his own Laws, and by so doing delegate the Power of Excommunicating to Abbesses, altho *jure Communi*, as not having the Power of the Keys, they are disabled from so doing: and that Pope Urban the Second, constituted a Lay-man, Roger Earl of Sicily and his Heirs, his Legates *a latere* in that Kingdom by way of Inheritance for ever: and that our Henry the Second writing to the Pope to recall Becket's Legatine Power, and to confer it on the Archbishop of York, the Pope refused so to do, but offer'd the Legatine Power to the King himself, and sent Letters to the King for that purpose: but which the King in scorn threw away.

The Legatine Powers are *de jure Communi*, as the Canonists tell us, very great; and allow the Legates to visit or cause to be visited by such as they shall think fit, all Churches, Monasteries, Colleges, Universities, Hospitals, and do authorize them to make new Statutes and Orders, and not only to receive Appeals from ordinary Judges and Delegates, but to judge and decide all Ecclesiastical, Civil and Criminal Causes, and that summarily and *sine formâ & figurâ Judicii*; to make Prisoners of Bishops, and send them in Custody to the Pope, to bestow Benefices that were vacant, to unite Churches, to interpret the Mandates of the Pope: and if the Pope hath entrusted any thing to be done by them, yet to entrust the doing thereof to others, to execute all their Jurisdiction in Places exempt as well as not exempt, and to dispense in all Cases wherein they are not Prohibited, and to exercise the Jurisdiction of granting Indulgences, and to dispense with pluralists, and with the incapacity of Sons immediately succeeding their Fathers in Church-Livings, and to give Absolution to the Excommunicate in many Cases reserv'd to the Apostolick See, and likewise in many Causes inflicitive of Excommunication *ipso jure*, and in many Cases to restore such as are deposed and degraded, and to rehabilitate them even by restoring them to Fame.

All these Branches of Authority, with many others not named here, were it seems offer'd by the Pope to our King: but which he holding as Vicegerent to the King of Kings, and by his Word, might well refuse their tenure from the *servus servorum*, and by his Bulls.

All our Roman-Catholick Princes having made an inroad on the Papal incapacitating Canons by way of Dispensation, when they made their Lay-Judges Super-Intendents over their Bishops, and who were by Lay-men required to Absolve such who were disabled by Excommunication, and to receive their bounds and measures in Ecclesiastical Proceedings by Writs of Prohibition, and Consultation, and Attachment issued out by Lay-men; the exercise of the Regal Power in Ecclesiasticks distributed and dispers'd among so many Lay hands, did not seem so powerful nor invidious as when the
united

united Beams of Ecclesiastical *Vice-gerence* met in the Ministry of *one* Lay Person, and dazled the Eyes of the whole Kingdom, and when (according to the Power that was 37°. *H. 8. declared* by the Parliament to be given to the King by *Holy Scripture*) he made *Cromwel* his Vice-gerent for the Ecclesiastical Jurisdiction.

But as that *Statute* intimating that the Councils and Constitutions Provincial that ordain'd, that no Lay-man should exercise or occupy any Jurisdiction Ecclesiastical, did stand and remain in their effect not abolish'd by his Grace's Laws, and did sound to appear to make greatly for the usurped Power of the Bishop of Rome, and to be directly repugnant to his Majesty as Supreme Head of the Church, and Prerogative Royal, his Grace being a Lay-man, altho such Decrees, Ordinances, and Constitutions were by the Statute made in the 25th year of his Reign, intended to be utterly abolish'd, frustrate, &c. but yet that the contrary thereunto, being not used by Archbishops, Bishops, &c. *i. e.* that they had not all that while or since that *Statute* of the 25th of his Reign committed the exercise of Ecclesiastical Jurisdiction to *Lay-men*; did or might give occasion to some Evil-dispos'd persons to think and little regard the Proceedings and Censures Ecclesiastical made by his HIGHNESS and his Vice-gerent, Officials, Commissaries, Judges, and Visitors being also Lay and Married men to be of little or none effect, whereby the people gathereth heart and presumption to do evil, and not to have such reverence to your most Godly Injunctions and Proceedings, as becometh them, &c. So I leave it to you to consider how the *disabling* of any Subjects by reason of Religious Heterodoxy to serve their Prince, did or might give occasion to some evil-disposed Persons to attempt the *disabling* of their Prince on the same account, as I before hinted it to you: and as the popular incogitancy of the Power given by God extending to all such Persons as should be employ'd under the King, producing the irreverence of their surmises of the incapacity of the Officials and Visitors employ'd by the Vicegerent (and consequently of the incapacity of the Vicegerent himself) did naturally terminate in their gathering heart and presumption to do evil, and to surmise the King's being disabled to exercise all manner of Ecclesiastical Jurisdiction: and to do that which was directly repugnant to his Majesty as Supreme Head of the Church, and to his Prerogative Royal, his Grace being a Lay-man, how you ought still to preserve a tenderness in your thoughts for that Prerogative Royal given him by God's Word of Commanding the Services of all his Subjects by what Laws or Constitutions soever *de facto* incapacitated. And by the gradual Proceedings I have now mention'd, you ought with horror to think of the incapacitating any one Subject to serve his Prince, as of the first step from a Precipice.

A. You have provided variety of Entertainment for my Consideration, and have my thanks for it. But suppose I should be so Curious and Inquisitive as to ask where in God's Word that Power is given to Princes to employ such Persons as they shall think fit in their service, according to the purport of that *Statute*?

B. You may likewise suppose that you would then find my Genius so inquisitive as to ask you where you have been at Church of late years. For you could then go to no Church in England, Scotland, or Ireland without hearing St. Paul's *Omnia anima* spoken of, Let every soul be subject to the higher Powers, whether he be Apostle, or Evangelist, Prophet, Priest, Clergy or Layety, whether he be of the People diffusive or representative, and the like. And as the well-drawn Effigies of a man seems to look on every one in the Room, so hath the Picture of the Regal Power drawn by the

Divines of the Church of England, appear'd to cast its Eye on every one, and been made as it were *Vocal*, and saying to every one, *For he is the Minister of God to thee for good.* And the good old Book call'd *God and the King* that you have read over and over, hath told you, *that the Bond of the King's Subjects Obedience to his Majesty is inviolable, and cannot be dissolv'd.*

And indeed the thing being so plain by the *Law of Nature*, which being written in man's heart is the very same (so far forth as it is yet undefaced) with the *Law of God* reveal'd in the *Word*, it is not *tanti* to raise *Moot-Points* about this, relating to *Scripture*.

I doubt not but you remember it in my Lord *Herbert's Harry* the 8th, that there being a *Rebellion* of many of the *Commonalty*, A. 1536. and the *Rebels* sending the *King* their *Grievances*, and one whereof was, *That his Grace had ill Councillors, and of mean Birth* (among which *Cromwel* was not forgotten) and the *King* sending an *Answer* penn'd by himself as to their *Grievances*, he did therein upbraid them for meddling in the choice of his *Councillors*, and command their acquiescence therein on the grounds of *Nature* and of his being their *Natural Liege-lord*.

A. Well Sir: Let it for the present pass as a *datum* or *concessum*, as you will have it, that the *Obedience* of *Subjects*, in serving their *Prince* is founded on the grounds both of *Nature* and *Scripture*. And I shall moreover allow it to you, that if you had an *Enthusiast* to deal with, and such who as you said do outrage the 13th of the *Romans* out of the *Apocalypse*, you might out of *Brightman's Revelation* of the *Apocalypse*, shew him out of that part of *Holy Scripture* sufficient Authority for the *King's* particularly making *Cromwel* his *Vicegerent*. For he there on the 14th Chapter, and the 17th, and following Verses, saith, *This Angel is Thomas Cromwel who lived in the days of Harry the 8th, that most mighty King, and was a man of great renown and place in our Kingdoms, being the Earl of Essex, and Lord Keeper of the Privy Seal, who came out of the Temple, and being a sincere favourer of pure Religion. He had a Sickle in his hand, being made the King's Deputy in all Ecclesiastical Matters: and it was a sharp one, as with which he sets stoutly and deliberately to his work, and yet he had no Crown or Diadem to grace his head withal, being a Minister rather to put another Man's Power in Ure, than any that wrought by his own Power and Authority.* And he on Verse the 18th makes the other *Angel* to be a *Martyr*: viz. *Tho. Cranmer*, and refers the meaning of the words, *He cryed with a great voice to him that had the Sickle, to Cranmer, because* (saith he) *in the days of Harry the 8th, he inflamed the mind of Tho. Cromwel, by his words, with a desire to make a Vintage.*

B. I thank you for diverting me with that passage of *Brightman*: but I can refer you to another Writer of our Church, whose Authority will go further with us than *Brightman's*, and who hath recorded it, that the great figure that *Cromwel* made both in the Church and State, and his and *Cranmer's* acting together in consort, and by joynt Councils both in Church and at the Helm of State, was so highly fortunate to the Reformation. You may find this observed by Archbishop *Parker* in his *De Antiquitate Ecclesiæ Britannicæ*, p. 530. where he saith, *Namque profligato Papa, & suscepta Ecclesiæ Anglicanæ defensione, curâ & tutelâ, Rex excelsi ingenii, & multarum rerum usu peritum, Thomam Cromwellum Vicarium suum in spiritualibus generalem designavit. Hic cum Thoma Cranmero Archiepiscopo tanquam in puppi sedit, clavumque Ecclesiæ Anglicanæ tenuit, proramq; à papali littore avertit, & in Christianum portum reduxit.*

A. Was, *Vicar-general to the King in Spirituals*, Cromwel's style for his Office, as the Archbishop there termed it.

B. I am apt to think it was not. I never saw any Copy of his Patent or Commission for it. The Acts of Parliament in *H. the 8th's* time style him, *The King's Vicegerent*, &c. And the Statute of 37^o. *H. 8.* beforemention'd that speaks of Bishops *Vicars-General* useth only the Style of *Vicegerent* for Cromwel's Office. And I have observ'd in his *Injunctions* to the Clergy, that he styles himself *Lord Privy Seal, Vice-gerent to King Henry the 8th, for all his Jurisdiction Ecclesiastical within this Realm*, &c.

But the word *Vicar* being perhaps by the envy of the *Monks* put on him and his Office in common Discourse (the word *Vicar* in the *Proper* signification of it, signifying a *Servant to a Servant*, according to that in *Martial*, *Esse sat est servum, jam nolo Vicarius esse*) the Archbishop speaking *Cum vulgo* might then call him the King's *Vicar-general*, and so others since.

I should before have mention'd what he saith, p. 323. speaking of Cromwel, *Inter hunc & Cranmerum summam necessitudinem Evangelium conciliavit, ut dum ille Experiencia, hic Doctrina cunctos antecelleret, tum utriq; Regi intimi & chari essent. Ex horum Consilio, & impiis atque odiosis Papæ & Wolfæi Cardinalis Actis summum supplicium, & exitium Romanæ Curiae divinitus paratum est.*

A. You have enough minded me of the King's dispensing with the disability incurr'd by the *Canons* both in the Case of Cromwel a *Lay-man* intermeddling in *Ecclesiastical* Matters, and of Cranmer a *Clergyman* intermeddling in *secular*, proving so necessary to the *Reformation*, and accordingly as Queen *Elizabeth's* dispensing with disability proved so to the Establishment of the present *Hierarchy* of the Church of England. And I shall most seriously consider what the *Act* of the 37th of *H. the 8th*, hath in such plain and liquid terms declared of the Power given to the King by *Scripture*, and to all such Persons as he shall appoint, to exercise *Ecclesiastical Jurisdiction*, however incapacitated so to do by lawful *Canons* and *Constitutions*, and which were by that Eminent *Justitiary* you mention'd held Equivalent to *Acts of Parliament*: and shall grant that if never so many *Acts of Parliament* had attempted to deprive the King of a Power inherent in him by *Scripture*, such attempt would be nugatory, and the fremuerunt gentes against it, would be but the Peoples imagining a vain thing. And I shall consider it how far by clear and necessary Consequences, and no wire-drawn ones, it follows from what is declared by this *Act of Parliament*, as to the King's being authorized by *Scripture* to choose some sorts of Officers to serve the Crown in Church and State, that he is so authorized to choose others; in like manner as you mention'd it to me declared by the *Scotch Act of Parliament*, that the King by virtue of the Royal Power he holds from God All-mighty is to have the *SOLE* choice and appointment of the Officers of the State, &c. But (I Pray) do not many other *Acts of Parliament* in *Harry the 8th's* time, whereby the Royal Prerogative is so much advanced, and particularly that of the 25th of *Harry the 8th*, that sets up the *Dispen-sative* Power, seem to make it depend on *Statute-Law*? And may it not seem to be more than a flaw in the Diamond of Prerogative, and a great depretiating of it in cutting it out (as it were) into four, by making its Establishment depend on the King and three Estates?

B. I shall therefore here once for all tell you, that the occasion of so many mens mistake in thinking so many of those *Acts of Parliament* in *Harry the 8th's* time prejudicial to Prerogative, as seeming to found it on *Statute-Law*, is their not considering that such *Statutes* were but declaratory of old Laws, and not introductive of new ones. My Lord Primate

Bramhal

Bramhal in his *Schism guarded*, p. 155. saith, *I profess clearly I do not see what advantage Henry the 8th could make of his own Laws, which he might not have made of the ancient Laws, except only a gawdy Title of Head of the English Church which survived him not long, and the Tenths and first-fruits of the Clergy, &c.*

But you may as fully take notice how *Harry* the 8th throughout his great *Declarative* Laws so often declares in effect his *Regal Power* to be given him by God. My Lord *Coke* in his *Caudry's Case*, instanceth in the famous *Statute* of 24^o *H. 8.* c. 12. and calls it *declaratory of the ancient Law*, and you see how it is declared there, That the King is by the goodness of God furnish'd with *Prerogative*, &c. And the *Statute* of 37^o *H. 8.* begins as I shew'd you with the three Estates, DECLARING, That the King's Majesty is and hath always justly been Supreme Head in the Earth of the Church of England by the Word of God. You know too how the style runs in another of his *Acts of Parliament*, viz. The Bishop of Rome and *Sæ Apostolick*, contrary to the great and inviolable Grants of Jurisdictions by God immediately to Emperors, Kings, and Princes, &c. And thus tho there are various *Statutes* in his Reign, and particularly that of the 25th year of his Reign, c. 19. by which it was Enacted, That the King's Highness shall have Power and Authority to nominate and assign at his pleasure Two and thirty persons, whereof Sixteen to be of the Clergy, and Sixteen of the Temporality of the Upper and Nether House of the Parliament to view, search, and examine the Canons, Constitutions and Ordinances Provincial, and that such of them as the King's Highness and the said Two and thirty or the Major part of them shall deem and adjudge worthy to be continued, kept and obey'd, shall be from henceforth kept obey'd and executed within this Realm, so that the Kings most Royal assent under his Great Seal be first had to the same, &c. and tho according to the ancient usage of the Realm as well as to those Canons Lay-men were not only incapacitated to make Ecclesiastical Constitutions and Canons, but Kings, Bishops, or Noblemen who believed that the Decrees of the Bishops of Rome may be violated or shall suffer them so to be, are in the Canon Law anathematized, yet as this enacting Clause was made on the Clergy's Petition to the King (as the Preamble of the Act mentions) that those Constitutions and Canons may be committed to the Examination and Judgment of his Highness, and of Two and Thirty persons of the King's Subjects, whereof sixteen were to be of the Upper and Nether House of the Parliament, of the Temporality; and all the said Two and thirty persons to be chosen and appointed by the King's Majesty, &c. and be empower'd to do what I mention'd out of the enacting Clause (and whereby the King alone was in effect both according to the Clergy's Petition, and the enacting Clause vested with the *jus vitæ & necis* of the Canons) so in a Memorable Epistle of *Harry* the 8th, Printed before the *Reformatio legum Ecclesiasticarum*, and intended as a draught for a Publication or Promulgation of the King's new Ecclesiastical Laws, after the draught of them had been by those Clergymen and Laymen prepared for his Royal Consideration, and been by him establish'd, he there declares his Power of so doing to be pursuant to his Supreme Headship of the Church of England recogniz'd, quemadmodum divini atque humani juris ratio postulat, and mentions, the Power granted to him and his Ancestors ipso jure divino, as recognized, and applies to himself the words *Sapientiæ*, cap. 7. Audite Reges & intelligite quoniam data est a Domino potestas vobis, &c. and founding his Power of making Ecclesiastical Laws on that *jus Divinum*, he saith, En vobis auctoritate nostra editas leges damus, &c.

And

And here I shall tell you that as *my Lord Coke in Cawdry's Case* calls the *Act* of the 24th of *H. 8.* beforemention'd, An *Act declaratory of the Ancient Law*; so he likewise doth the *Act* of the 25th of his Reign, c. 21. that so much props up the *Dispensative Power*. And I assure you that they look but at a few things in general, and in that *Statute* in particular, who think that the *Dispensative Power inherent* in the King lost any ground thereby: and he who takes the *Statute* altogether, will find that that Power if it seem'd in any words to go back from it self, was but by such retreat to leap the further forward.

For if you will take a *glancing view* of the intent of that *Statute* to that end, you will see that instead of *that Law* making it self to be the *Fountain* of the *Dispensative Power*, it ^{seems to} make the *Dispensative Power* to be the very *Fountain* of a great part of the *Common Law* it self: for its style gives you the figure of our *Laws*, as either devised, made and obtain'd within this *Realm* for the wealth of the same, or such as by **SUFFERANCE** of your Grace and your Progenitors (which is a *Dispensation* by way of *Permission* or *Connivence*) the People of this your *Realm* have taken at their free Liberty by their own Consent to be used among them, and have bound themselves by long use and Custom to the observance of the same, &c. And the King in his Legislative Capacity having with the consent of the three Estates superseded the *Pope's* *Dispensative Power* that had so long Usurp'd on the King's Laws, and having provided that the Money that should be paid as *Fees* for *Dispensations* should be rais'd and moderated by their Consent, obtain'd from them a *Clause* in the *Act* containing so great a deference to the *Dispensative Power* of the *Crown*, as that after the *Act* had authorized the *Archbishop* of *Canterbury* and his Successors to grant such *Dispensations*, *Licences* and *Faculties* as were accustomed to be had from the *See* of *Rome*, and not grant any others till the King, his Heirs and Successors, or their Council were first advertis'd thereof, and determin'd whether they should pass: It *Provided* that if it were thought and determin'd by the King, his Heirs and Successors, or their Council, that *Dispensations*, *Faculties*, *Licences*, or other *Writings* in any such Case **UNLAWFUL** shall pass, that then the said *Archbishop* or his *Commissary* having *Licence* of His Majesty, his Heirs and Successors for the same shall dispense with them accordingly: and in Case of his refusing to dispense, that any other two *Bishops*, the King, his Heirs and Successors should nominate, should be appointed to dispense in such Cases. And this *Act* with all the *Clauses* in it, you find reviv'd by the 1st. of *Elizabeth*, c. 1.

The *Pope's rehabilitations* did customarily extend to *Lay-men* as well as *Clergy-men*, and that particularly in case of *Heterodoxy* in Religion, then call'd *Heresy*, which both by ancient usage and *Acts* of *Parliament* loaded men with various *incapacities*. And his relaxing the *incapacities* that relate to *Clergy-men*, any one may see by the *Taxa Camerae* and the *Fees* thereby payable, viz. in the *Age* of those who were to take *Orders* and were defective in some of their Members, and in the Case of *Clergy-men's* incapacity incurr'd by *irregularity*. But after this *Act* of the 25. of *H.* the 8th, had shew'd the World the Authority the King had to *rehabilitate* and *dispense* here in his own Country both as to matters customarily dispens'd with at *Rome*, and such as were not so, and how small the *Fees* were for the same, the bringing *rehabilitations*, and *Perinde valere's* from *Rome* to *England*, was like carrying *Coals* to *New-Castle*.

A. I was not satisfy'd with your extending the *King's* Power of Dispensing here as far as the *Pope's* reach'd, and it seems you extend it further. I hope you intend not to bring in here the *Tax of the Apostolical Chancery*, and which Mr. *Crasshaw* translating into *English* in the year 1625. call'd it, *The Rates of the Pope's Custom-house*, and wherein are contain'd *Indulgences* for *Sins* past, present and to come, and such a kind of *Pardoning* Power as in *The historical Narration of the first Fourteen years of King James*, appear'd to that King so scandalous in the *Case* of the Draught of the *Earl of Somerset's* Pardon, and in which Sir *Robert Cotton* having been desired by the *Earl* to find out the largest *Pardon* that former *Presidents* could shew, brought him one that was made by the *Pope* to Cardinal *Wolsey*, and by a *fac simile* after which, the Draught of the *Earls* ran for *Pardoning* all manner of *Felonies* and *Treasons* committed and to be committed.

B. Premising to you that the *Christian* offices do more call on you to mind what *Sins* you *dispense* with in your self, then what the *Pope* dispenseth with in others, and that this present *Pope* hath spoil'd the *Trade* of *raillery* about *Indulgences* by spoiling the *Trade* of them, and damning so great a number of them, and that in his vast Supplies of Money toward the taking of *Buda*, the *Souls* in *Purgatory* contributed nothing, and that Sir *Paul Ricaut* in the *Life* of this *Pope*, having done right to his *Vertue*, in mentioning his having suppress'd an *Office* of the *Virgin Mary*, and a multitude of *Indulgences*, hath further judiciously observ'd, That *Wise men* at the *Council* of *Trent* finding that the *Doctrine* of *Indulgences* was not solid, did but slightly touch it; and tho yet it was the *CHIEF* matter for which that *Council* was assembled, nothing was determin'd therein, but only that *Indulgences* be used with such *Moderation* as was approved by the *Ancient Custom* of the *Church*, that is, not at all; I say premising all this, I shall mind you that I have said enough already to let you see that it is only the *ancient* *Dispensative Jurisdiction* of the *Crown* that I direct you to prop up, and more particularly with respect to the *Case* before you.

While we are considering the *Obligation* of an *Oath*, it were pity that the thoughts of either of us should be embarrass'd with *Moot-points*; and so without troubling you with a reference to *More*, f. 463. where all the *Power* of the *Pope* is not given to the *King* by the 25th of *H.* the 8th, but is extinct, *Hallywel's Case*; or to the quite contrary in *More* 542. *Armiger's Case*, I shall most consult the ease of your thoughts by directing them to what interpretation my Lord *Coke* in *Cawdry's Case* gives as to the words of the *Statute* of 1^o *Eliz.* and where he saith, that that *Act* doth not annex any *Jurisdiction* to the *Crown* but what was of right or ought to be by the *Ancient Laws* of this *Realm*, parcel of the *King's Jurisdiction*, &c. and which lawfully had been or might be exercised within the *Realm*. The end of which *Jurisdiction*, and of all the *Proceedings* thereupon, that all things might be done in *Causes Ecclesiastical* to the *Pleasure* of *Almighty God*, encrease of *Vertue*, and the *Conservation* of the *Peace* and *Unity* of the *Realm*, as by divers places of the *Act* appears. And therefore by this *Act* no pretended *Jurisdiction* exercised within this *Realm* being ungodly, or repugnant to the *ancient Law* of the *Crown*, was or could be restored to the *Crown* according to the *ancient Right* and *Law* of the *same*.

And here I may tell you, that as the *Pope* did often *dispense* with *incapacity* incurr'd by his *Positive Laws*, and that even in the use of the *Power* of the *Keys*, as by his delegating the *Power* of *Excommunication* to *Laymen*, and to *Abbeesses* as aforesaid; so our *Kings* did anciently by their *Letters Patents* and *Charters*, grant *Power* to those who were no *Bishops*, *Ordinaries*,

naries, or Ecclesiastical Judges or Officers to inflict Ecclesiastical Censures of the greater Excommunication on Offenders, and that for Causes not merely Spiritual or Ecclesiastical with Power to Certify them into Chancery, and thereupon to obtain Writs de Excommunicato Capiendo, as Mr. Prynne tells us in his *Animadversions on the Fourth part of the Institutes*, and there cites the President of Edward the Third, thus empow'ring the Chancellor of the University of Oxford, tho a Lay-man so to do, and so to Punish Breakers of the Peace, Offenders against the Statutes, Privileges and Customs of the University, and all Forestallers, and Regraters, and Sellers of corrupt Meat and Wine, and to Excommunicate such who refused to cleanse the Streets from filth, and to Pave them before their Doors, and this (he saith) was confirm'd by sundry succeeding Statutes of our Princes.

In what particulars it is by this Statute of the 25. of H. the 8th. warranted that the King, his Heirs and Successors may dispense with Persons and in Causes that the Papacy was never accustomed to dispense in, I shall not trouble you or my self to enquire: but shall tell you, that Mr. Nye in his Book call'd *Two Acts of Parliament*, and wherein are contain'd his Observations on the Oath of Supremacy, doth in p. 164. cite this Statute of 25. H. 8. c. 21. and thereupon say, the King's Majesty may dispense with any of those Canons or Ecclesiastical Laws, (meaning the King's Ecclesiastical Laws) indulge the Omission of what is enjoyn'd by them: make void the Crime and remove the Penalty incurred by breach of them: yea, and give faculty to do and practice otherwise, any Synodal Establishment, or long usage to the Contrary notwithstanding, in what offends not the Holy Scripture and Laws of GOD.

And therefore when our Sovereign in the course of his Ecclesiastical Supremacy, doth only dispense with incapacity, we are sure he goes not to the height of the Dispensative Power justify'd in him by that Statute: nothing having been more customary to the Papacy then rehabilitation.

It was upon the Revival of this Statute of Harry the 8th, by that first of Queen Eliz. c. 1. that she, according to the Papal custom of dispensing with the Commutation of Penance, did in her Articles in the Synod began at London, A. D. 1548. establish one *De moderandâ solennis Pœnitentiæ Commutatione*, whereby she orders, that such Commutation shall be but seldom and for weighty Causes, and when it shall appear to the Bishop that that way is the safer to reform the guilty Person, and that the Commutation-Money be employ'd to Pious uses. And then follows the Title, *De Moderandis quibusdam Indulgentiis pro Celebratione Matrimonii absque trindina denunciatione quam bannos vocant Matrimoniales*, where you will find she makes Faculties and Indulgences all one.

And as I have shew'd you how she thought it necessary for the safety of her Subjects Consciences to exercise her Dispensative Power of interpreting, and of relaxing disabilities occasion'd by the very first Statute of her Reign, and how soon she put the Dispensative Power of those kinds in practice, which by that Statute were restored and united to her Imperial Crown, so I may observe to you that shortly after the making of the Second Statute in her Reign, viz. That for Uniformity of Prayer and Administration of Sacraments, which punisheth with Premunire, Sequestration, and Deprivation, and Excommunication (which while it is depending is so variously inclusive of disability) the not using the Book of Common-Prayer as Publish'd in English; she by her Letters Patents dated the 6th of April in the Second year of her Reign, and A. 1560. alloweth the use of Latine Prayers to the Colleges of both Universities, and to Eaton and Winchester

chester Colleges, with a particular *Non-obstante* to that Statute: a Copy of which *Letters Patents* may be seen in Bishop Sparrow's *Collection of Articles, &c.* And I have before acquainted you in general, how in her *Letters Patents* for the Consecrating new Bishops, she expressly *dispens'd* with incapacity.

But what may perhaps seem to you as a new *Indication* of her being the better able to *dispense* with it, is an *Instance* I shall give you of her *making* incapacity by her *Supreme Ecclesiastical Power*. The instance of her thus *making* incapacity, is a thing that Mr. Nye in his *Beams of former Light* reflects on as *strange*: for he there in p. 201. referring to Queen Elizabeth's *Injunctions*, A. 1559. *Injunct.* 29. viz. It is thought very necessary that no manner of Priest or Deacon shall hereafter take to his Wife any manner of Woman without the Advice and Allowance first had by the Bishop of the Diocese, and two Justices of the Peace next to the place of her abode, &c. and if any shall do otherwise, they shall not be permitted to Preach the Word, or give Sacraments, nor be Capable of any Ecclesiastical Benefice; saith then, *Doth this seem strange now? It seem'd very necessary in the judgment of our Governors then?*

A. I must acknowledge that you have spoke that which is very much for my Satisfaction concerning the *Dispensative Power* and the *Oath* thus supporting one another. But I wonder that I have not in any of our celebrated *Writers* of the Church of England read that the *Contents* of the *Affertory* and *Promissory* parts of this *Oath*, and our *abjuring* foreign *Jurisdications*, *Powers*, *Superiorities* and *Authorities* in the *Oath*, i. e. those of the *Papacy*, were intended in order to the statuminating our Prince's *Dispensative Power* pursuant to the *Statutes* of 25. H. 8th, and 1^o Eliz. beforemention'd.

B. I can easily direct you to such a *Writer* of our Church who hath done the thing to the universal Satisfaction of the Inquisitive as to this Point, and that is the Lord Primate Bramhal in his *Book of Schism Guarded*.

He saith there, in p. 330, and 331. *As our Grievances, so our Reformation was only of the abuses of the Roman Court. Their bestowing of Prelacies and Dignities in England to the Prejudice of the right Patrons; Their Convocating Synods in England without the King's leave; Their Prohibiting English Prelates to make their old feudal Oaths to the King, and obliging them to take new Oaths of Fidelity to the Pope; Their imposing and receiving Tents and first Fruits, and other Arbitrary Pensions upon the English Clergy; and lastly, their Usurping a Legislative Judiciary and Dispensative Power in the exterior Court by Political Coaction; these are all the branches of Papal Power which we have rejected. This Reformation is all the Separation that we have made in point of Discipline. And for Doctrine we have no difference with them about the old Essentials of Christian Religion: and their new Essentials which they have patch'd to the Creed are but their erroneous, or at the best, probable Opinions; no Articles of Faith.* Thus then according to these measures, you see how much the hinge of the Reformation turns on the Usurpation of the Papacy in *Dispensing*: for in all these particulars enumerated, the Pope *dispens'd* with the King's Laws. And he had before in p. 26. said, *This Primacy neither the Ancients nor we deny to St. Peter, of Order, of Place, of Preheminence. If this first movership would serve his turn, the Controversie were at an end for our parts. But this Primacy is over-lean; the Court of Rome have no gusto to it. They thirst after a visible Monarchy on Earth, an absolute*

solute Ecclesiastical Sovereignty; a Power to make Canons, to abolish Canons, to dispense with Canons; to impose Pensions, to dispose of Dignities, to decide Controversies by a single Authority. This was that which made the breach; not the Innocent Primacy of St. Peter. And afterward in p. 149. he saith, But I must contract my Discourse to those Dispensations that are intended in the Laws of Henry the 8th; that is the Power to dispense with English Laws in the exterior Court: Let him bind or loose inwardly whom he will: whether his Key erre or not, we are not concern'd. Secondly, As he is a Prince in his own Territories, he that hath Power to bind, hath Power to loose. He that hath Power to make Laws hath Power to dispense with his own Laws. Laws are made of Common Events. Those benign Circumstances that happen rarely, are left to the Dispensative Grace of the Prince. Thirdly, As he is a Bishop, whatever Dispensative Power the ancient Ecclesiastical Canons, or Edicts of Christian Emperors give to the Bishop of Rome within those Territories that were subject to his Jurisdiction by Humane right, we do not envy him: so he suffer us to enjoy our ancient Privileges and Immunities freed from his Encroachments and Usurpations. The Chief ground of the ancient Ecclesiastical Canon was, let the old Customs prevail. A possession or Prescription of Eleven hundred years is a good ward both in Law and Conscience against an Human Right, and much more against a New pretence of Divine Right. For Eleven hundred years our Kings and Bishops enjoy'd the sole Dispensative Power with all English Laws, Civil and Ecclesiastical. In all which time he is not able to give one instance of a Papal Dispensation in England, nor any shadow of it when the Church was formed. Where the Bishops of Rome had no Legislative Power, no Judiciary Power in the exterior Court, by necessary Consequence they could have no Dispensative Power. He then in p. 169. mentions the said Statute of 25. H. 8th. and having referr'd to the Proviso, there to shew, that its intent was not to vary from the Church of Christ in any other things declared by the Holy Scripture, and the Word of God necessary to Salvation, he saith then followeth the scope of our Reformation; only to make an Ordinance by Policies necessary and convenient to repress Vice, and for good Conservation of the Realm in Peace, Unity and Tranquillity from ravine, and spoil, ensuing much the ancient Customs of this Realm in that behalf: not minding to seek for any relief, succours, or remedies for any worldly things, and Humane Laws in any cause of necessity, but within this Realm at the hands of your Highness, your Heirs and Successors Kings of this Realm, which have and ought to have an Imperial Power and Authority in the same, and not obliged in worldy Causes to any other Superior.

Thus then you see this Prelates sense of how much the taking away the Pope's Dispensative Power here, and restoring that Power to the Crown, was the Soul of the Reformation, and *tota in toto* of it. And this Act you see revived by the First of Elizabeth without garbling it in the least; and the Dispensative Power thereby restored to her, her Heirs and Successors, and a Declaration, that no Subjects of the Realm need for any worldly things and Humane Laws in any Cause of Necessity seek for any relief, but within this Realm at the hands of our Sovereign, as aforesaid. And I shall tell you that the Bishop in the next Page refers to the Statute of the First of Eliz. and saith on his view of both Statutes, *Whatsoever Power our Laws did devest the Pope of, they invested the King with it.* And of this, the Power of Rehabilitating any of his Lay or Clerical Subjects is a part, as was before said.

A. You have cited somewhat out of this *Great Champion* for the King's Supremacy, and for the *Church of England*, and reputed to be the most clear *Vindicator* of it from *Schism* our Church hath had, which hath created more anxiety in my mind about the *Affertory* part of the *Oath* than any thing hath done. For the words in the *Oath* are, *I do utterly testify and declare, &c. that no Foreign Prelate or Person hath or ought to have any Jurisdiction, Power Ecclesiastical or Spiritual within this Realm*, and you have brought in the *Primate* granting that the *Pope* hath *Power* here to *bind* or *loose* inwardly, and asserting that he hath here a *Spiritual Power*.

B. You judge right of the *Bishop's* Opinion, and which is indeed express'd throughout his whole Book. He tells us in p. 25. *That St. Cyprian made all the Bishopricks in the World to be but one Masse, whereof every Bishop had an entire part*: And he saith in p. 60, and 61. *That neither King Harry the 8th, nor any of our Legislators did ever endeavour to deprive the Bishop of Rome of the Power of the Keys, or any part thereof; either the Key of Order, or the Key of Jurisdiction: I mean Jurisdiction purely Spiritual which hath place only in the inner Court of Conscience, and over such Persons as submit willingly*: And in the clearing of which Point he refers to the *Proviso* aforesaid in the *Statute* of the 25th of *Harry the 8th*, and the 37th *Canon* of the *Church of England*, as rendring the *Power* by both given to the King to be purely *Political*. But in p. 159. he refers by way of *Objection* to two *Statutes* of *Harry the 8th*, the one an *Act* for extinguishing the *Authority* of the *Bishop of Rome*, the other an *Act* for *Establishing* the *Succession*, wherein there is an *Oath*, that the *Bishop of Rome* *OUGHT* not to have any *Jurisdiction* or *Authority* in this *Realm*; then saith it is declared in the 37th *Article* of our *Church*, that the *Bishop of Rome* hath no *Jurisdiction* in the *Kingdom* of *England*: and in the *Oath* ordain'd by *Queen Elizabeth*, that no *Foreign Prelate* hath or ought to have any *Jurisdiction* or *Authority* *Ecclesiastical* or *Spiritual* within this *Realm*: and he then by way of answer to which, says *That those two Statutes were long ago repeal'd by Queen Mary, and never afterward restored, &c. and that altho it were supposed that our Ancestors had over-reach'd themselves and the truth in some Expressions, yet that concerns not us at all, so long as we keep our selves exactly to the line and level of Apostolical Tradition: and saith, that our Ancestors meant the very same thing that we do. Our only difference is in the use of the words, Spiritual Authority or Jurisdiction, which we understand of Jurisdiction purely Spiritual which extends no further then the Court of Conscience. But by Spiritual Authority or Jurisdiction, they did understand Ecclesiastical Jurisdiction in the exterior Court, which in truth is partly Spiritual, partly Political. And he in p. 161. takes notice of the Apostles Dispensative Power, 2 Cor. 2. 10. to whom I forgave any thing for your sakes, forgave I in the person of Christ? But all this is only in the interior Court of Conscience.*

But the *Primate* having in p. 72. discours'd of the *Act* of 1st *Eliz. c. 1.* saith, *here is no new Power created in the Crown, but only an ancient Jurisdiction restored; here is no foreign Power abolish'd, but only that which is repugnant to the ancient Laws of England, and the Prerogative Royal. In a word, here is no Power ascribed to our Kings, but merely Political and Coactive to see that all their Subjects do their Duties in their several Places. Coactive Power is one of the Keys of the Kingdom of this World; it is none of the Keys of the Kingdom of Heaven. This might have been express'd in words less subject to Exception.*

A. The *Primate* hath shewn an eminent *Candour* of mind in these *Passages* of his you have cited : and if our *Ancestors* had but over-reach'd themselves, and the truth in some *Expressions*, and in any part of a *Statute* but that which forms an *Oath*, it had not much concern'd us, and as long as they had kept exactly to the line and level of plain Truth in all the words of the *Oath*: but *Oaths* being *stricti juris*, and being to be taken in truth and in righteousness, and in the common sense of the words, may I not here to the *Affertory* Clause of *No foreign Prelate or Person hath or ought to have any Jurisdiction*, &c. apply those other words of the *Primate*, *This might have been express'd in words less subject to Exception*? But according to what he cited out of *St. Cyprian*, it may be said instead of *no foreign Prelate hath or ought to have any Jurisdiction*, &c. that *Every foreign Prelate hath it*, and not only the *Bishop of Rome* as claiming a Succession under *St. Peter*, but *Thousands of other Bishops* in *Christendom*; who, as the *Primate* saith there, p. 162. do not at all derive their *Holy Orders* from *S. Peter*, or any other *Roman Bishop*, either *mediately*, or *immediately* (especially in *Asia* and *Africa*) but from the other *Apostles*.

And suitably to what the *Primate* observ'd out of *S. Cyprian*, by which we see that as there is but one *Universal Church*, so there is but *Episcopatus Unus* in that *Church* and that *undivided*, I find it observ'd in *Sir Geffery Palmer's Reports* in the *Case of Evans & Riffin*. vers. *Ascuith*. Trin. 3. Car. B. R. *Whitelock*. *Evesque* ad 3 Powers. *Le Primer est Ordinationis*: and that comes to him by his *Consecration*, and not before. By that he can take the resignation of a *Church*. He can give *Orders* and *Consecrate Churches*: and it belongs not to him as he is a *Bishop* of one place or other, mais il est universel sur tout le monde. And therefore the *Archbishop* of *Spalato* when he was here could give *Orders*. The *Chief Justice* agreed with him herein. The second is *Potestas Jurisdictionis* which is not *Universal*, but tied to certain places; as to take an *Oath*, to *Excommunicate* and *Punish* offences, and this Power he hath by *Confirmation*. The third is *Administratio rei Familiaris*, the *Government* of his *Revenue*, and this is gain'd by *Confirmation*. By this you see that the *Bishop of Rome*, as every other foreign *Bishop*, may have some *Spiritual Power* here, viz. what the *Reporter* mention'd as the first. And therefore I could wish that the 37th of our 39 *Articles* to which the *Primate* refers for the *Interpretations* of this Clause in the *Oath*, had in those words there the *Bishop of Rome* hath no *Jurisdiction* in this *Realm*, express'd such a distinction of his *Jurisdiction* as the *Bishop* hath done: and otherwise that common and trite Rule of *Non est distinguendum ubi lex non distinguit*, being here applicable, you know what is to be thought of an ambiguous *Oath*; and that as the sagacious Author of the *History of the Council of Trent* hath told us, p. 187, as one *Particular* makes false the contradictory *Universal*, so one ambiguous *Particular*, makes the *Universal* to be ambiguous.

Moreover tho you will suppose that he might lawfully take the *Oath* in his sense of the *Pope's Jurisdiction*, yet all his great *Learning* and *Reason* could not qualifie him to be an *Authentic* Interpreter of the *Oath* to me. In some parts of the *Oath* that were obvious to doubt, you have already given me satisfaction, and particularly in making me by vertue of the *Canons* of *King James* a participant with the *Clergy* in his *authentic* Interpretation of the 37th *Article*. And since as *Suarez* in his learned Book, *De Legibus*, 4. c. de *Interpretatione humanarum Legum*, saith that there may be an interpretation of Law which hath the Authority of Law, and that qui in eadem potestate succedit, semper potest *Prædecessorum leges interpretari*, I shall account *King James* his Interpretation as good as *Queen Elizabeth's*:
and

and that if he had there declared his mind about the Pope's *spiritual Power in foro interno*, being not *renounced* by this *Clause* in the Oath, I should then be content with it. But 'tis otherwise : for he there Confirms it in effect as 'tis in the *Article*.

Now you know how much *Simplicity* becomes an Oath, and how requisite it is that it should be conceiv'd in plain and *liquid* terms, and taken in the Imposer's sense and without *mental* reservations, and that you should Swear therein to no *dogmatical* Assertion; and as to which Mr. Nye saith well in his *Observations on that Oath*, to swear positively to any *dogmatical Assertion* is not required. It would be a taking the Name of God in vain: for if it be a certain and undoubted truth in it self and to others, as are Principles of Reason and Articles of Faith, an Oath is vain, for it ends no strife. If doubtful and a question whether true or not, tho such an Oath puts it out of question that I believe so, yet not that it is a truth. My belief, tho never so much evidenced and confirm'd, doth not make a doubtful matter in it self more credible; nor is one man's believing an Assertion just ground for another man to believe the same. Such an Oath therefore is in vain, and not a fit Medium to end such a Controversy.

Now how far your declaring in your Oath that no foreign Prelate hath nor ought to have any Jurisdiction Spiritual within this Realm, and the Interpretation of it pursuant to the 37th Article delivering the Plain words, The Bishop of Rome hath no Jurisdiction, &c. may bring you within the Verge of swearing what is dogmatical, I leave you to judge: but shall take the liberty to tell you, that when I see some of our Laws, and particularly this about our Oath girdled with so many Interpretations like new tender-sided Ships, I shall be apt to take little pleasure in embarking my Conscience in such an Oath, and am apt to call to mind the Censure which Mr. Milton's Character of the Long Parliament of 40. fulminates against his Countrymen, and by which he so much disables our understandings as to Political Government; and saith, that the Sun which we want, ripens Wits as well as Fruits, and as Wine and Oyl are imported to us from abroad, so must ripe understanding, &c.

B. But however, tho our Wine and Oyl are imported to us from abroad, our Dispensations are not, and we have no Occasion to send Gold to Rome for Lead: And I assure you, he who shall consider that the English *Virtuosi* were the last that did receive the yokes of the old Imperial and later Papal Power of Rome, and the first that threw them off, will tho we are *Crasso sub ære nati*, have no cause to vilifie our understandings, but rather to envy their triumphs over Infallibility so call'd. And perhaps when I shall have told you of another passage of the Bishop, p. 59. in his *Schism guarded*, you will think the Eyes of our Ancestors understandings did look out sharp when the two Statutes of the 25th of H. 8. and 1^o Eliz. were made; and there he saith, Suppose any of our Reformers have run into any Excesses or Extremes, either in their Expressions, or perhaps in their Actions (it is a difficult thing in great changes to observe a just mean) it may be out of Humane Frailty, as Lycurgus out of hatred to Drunkenness cut down all the Vines about Sparta, or it may be out of Policy, as men use to bend a Crooked rod as much the contrary way, or as expert Masters of Musick do sometimes draw up their Scholars a Note too high, to bring them to a just tone, what is that to us as long as we practice the Mean and maintain the Mean, and guide our selves by the certain line and level of Apostolical and Primitive Tradition?

There is no doubt but in the framing of the Statute of 1^o Eliz. and the Oath therein, regard was had to the Oath in the 35th of H. 8. c. 1. viz.

I having now the veil of Darkness of the Usurped Power, Authority and Jurisdiction of the See and Bishops of Rome clearly taken away from mine Eyes, do utterly testify and declare in my Conscience, that neither the See nor the Bishop of Rome, nor any foreign Potentate hath nor ought to have any Jurisdiction, Power or Authority within this Realm, neither by God's Law, nor any other just Law or means, &c. and that I shall never consent nor agree that the aforesaid See or Bishop of Rome, or their Successors, shall exercise or have any manner of Authority, Jurisdiction or Power within this Realm, &c. And this Oath remain'd the same all the rest of his Reign, and all *Edward* the 6th's time: and as to which *Queen Elizabeth* changed the Expression of *Supreme Head*: and both *Harry* the 8th, and *She* having their Eyes on the effect of *Papal* Excommunications, and concern'd to have the nullity of them believed by their Subjects, might seem according to the *Primate's* Expression to bend the crooked rod of the *Papal Jurisdiction* overmuch the contrary way in their Oaths, that so it might come to that just straitness referr'd to according to the *Primate's* measures of it.

But after all I shall tell you, that I think no *Political* respects can justify the putting doubtful Expressions into an Oath, or the taking of one with mental reservations of a sense different from the Common one of the words, and I do therefore joyn issue with you in the Point, that the Clause in the Oath, That no foreign Prelate hath or ought to have any Jurisdiction, &c. being the very same in the 37th Article, (and in the Interpretation of which Article, King *James* his Canons have, as you said, made you a sharer with the Clergy) you and all others who take the Oath may be thankful for the benefit of that King, having further exercised the Dispensative Power of his interpreting the whole intent of that Oath: And that Interpretation of it which hath made the Coast of the Oath clear to you in this Point, you will find agreeing to what he hath in our Language Publish'd to the World, and dedicated to eternity. For he having in his Premonition to all Christian Monarchs mention'd how he caus'd the House of Commons to Reform a Clause they had put into the Oath of Allegiance derogatory to the Pope's spiritual Power, viz. That the Pope had no Power to Excommunicate him, and that he was ready to consent that the Bishop of Rome should have the first Seat, and be Patriarch of the West, and be Primus Episcopus inter omnes Episcopos & princeps Episcoporum, so it be no otherwise but as Peter was, Princeps Apostolorum, takes occasion in his Apology for the Oath of Allegiance to let the World know his Royal judgment of the intent of the OATH of SUPREMACY; and there in Confutation of the Pope's Breves, and Bellarmine's Letter, he saith in p. 108. that the rendring Christian Kings within their own Dominions, Governors of their Church as well as of the rest of their People, it being Custodes utriusque tabulae, not by making new Articles of Faith, &c. but by commanding Obedience to be given to the Word of God, by reforming Religion according to his prescribed Will, by assisting the Spiritual Power with the Temporal Sword, by reforming Corruptions, by procuring due Obedience to the Church, by judging and cutting off all frivolous Questions and Schisms as Constantine did, and finally by making decorum to be observ'd in every thing, and establishing Orders to be observ'd in all indifferent things for that purpose, is the ONLY intent of the Oath of Supremacy: and whereby as he effectually confuted the Cardinal, whose Letter charged the Oath of Supremacy as tending to this end, That the Authority of the Head of the Church in England may be transferr'd from the Successor of St. Peter to the Successor of King Henry the 8th, and to oppose the Primacy of the Apostolick See; so at the end of his Book he shews that

his design of Publishing the same, was to satisfy all his good and natural Subjects, and likewise Strangers, about the things therein contain'd; and whereby the King's Mind was publickly notify'd that in the right done to the Crown by the Oath of Supremacy as well as of Allegiance, there was no wrong intended to St. Peter, or his Successors.

A. I hope you have now put a *Period* to the *History* of the *Dispensative* Power of the Crown, that was exercised in the interpreting of any parts of the Oath of Supremacy, or the 37th Article thereto relating. You have named to me so many interpretations of the Oath, that according to the wisdom of our State, and the *Lex & Consuetudo Parliamenti* making a Bill to be thrice read in each House of Parliament, and then receiving the Royal Assent to be thought like Gold seven times purify'd, may shew the interpretation of the Law to be so too. But tho I will account any good Law to be more precious then Gold, yet if like Gold it be too far extended by ductile interpretation, it may be drawn to such a thinness as to lose all its weight and estimation, and retain only a poor tincture and colour that will signifie little or nothing. And as Pliny in his *Panegyrick* on Trajan said, that by reason of the multitudes of futes upon Penal Laws in Rome, there was danger till Trajan's time, *ne Civitas fundata legibus, legibus everteretur*; so a Law whose Obligatoriness is founded on interpretations may be endanger'd by the multitudes of them to be destroy'd, and may like the Papal Laws of New Rome by the infinite interpretations of *Casuits* in the *forum internum* (which is their Tribunal) be brought to signifie nothing in either forum, and to be only an Engine to make Perplexities.

You have given me here such a *Genealogy* of interpretations, that according to the common Story of *Arise Daughter*, &c. one may say, *Arise Interpretation*, and go to thy Interpretation, &c. I shall therefore be glad now you have been so largely communicative of your thoughts to me about the assertory part of the Oath, you will deal as frankly with me in acquainting me with what may in the Promissory part of the Oath be of importance for me to know in order to the better discharge of my Duty in the Case before me.

B. I shall therein be most ready to serve you when we meet next: for the entire Consideration of what according to the Assertory part of the Oath you are obliged to do, will I see, be as great a load as both our patienties will at this time bear; and therefore according to the Saying of *Must is for the King*, I am to tell you, that let our Kings make never so many interpretations one after another of this your Oath, you must (finding them all Consistent with one another) consider them all with all due regard, and thank God and them when their Consciences being inclined to a tenderness for the doubting of yours, they interpose their Dispensative Power of that kind. And hereupon I shall tell you that in the year 1628. King Charles the First did cause the 39 Articles to be reprinted, and with a Declaration before the same made by him as Supreme Governor of the Church within his Dominions, that those Articles contain the true Doctrine of the Church of England, and that if any Difference should arise about the external Policy concerning Injunctions, Canons or other Constitutions whatsoever belonging to the Church of England, the Clergy in their Convocation, is to order and settle them, &c. he approving their said Ordinances, &c. that the Bishops and Clergy shall have licence under the Broad Seal to deliberate of, and do all such things as being made plain by them and assented to him, shall concern the settled Continuance of the Doctrine and Discipline of the Church of England, &c. and then having respect to the Article wherein the Arminians and Antiarminians were concern'd, 'tis order'd, that

that no man hereafter shall either Print or Preach to draw the Article aside any way, &c. But the first Canon that was afterward (*viz.* A. 1640.) made, was that concerning the Regal Power, which begins with taking notice that sundry Laws, Ordinances, and Constitutions had been formerly made for the acknowledgment and profession of the most lawful and independent Authority of our Dread Sovereign Lord the King over the state Ecclesiastical and Civil, and then enjoyns them to be ALL carefully observ'd by all persons whom they Concern upon the Penalties in the said Laws and Constitutions express'd, and then decrees, that the Clergy shall read the following Explanation of the Regal Power: and where the words, A Supreme Power is given to this most excellent Order (*i. e.* of Kings) by God himself in the Scriptures, which is, that Kings should rule and Command in their several Dominions all persons of what Rank or Estate soever, whether Ecclesiastical or Civil, and that they should restrain and punish with the Temporal Sword all stubborn and wicked doers, shew they had then the 37th of the 39 Articles in their eye: and some other words, *viz.* for any person or persons to set up, maintain or abow respectively under any pretence whatsoever, any independent Coactive Power, either papal, or popular, &c. is to undermine their great Royal Office, shew they had an Eye on that 37th Article, and on your Oath, and where they did speak out that sense of the Clause, The Bishop of Rome hath no Jurisdiction, &c. and of the words in the Oath, that no foreign Prelate hath or ought to have any Jurisdiction, &c. that is, that the Bishop of Rome had here no independent Coactive Jurisdiction, the sense in which all considerate Persons who were Members of the Church of Rome in Harry the 8th's time, and of the Church of England in Edward the 6th's time, took the old Oath of Supremacy, and the Members of the Church of England in Queen Elizabeth's time and ever since took the new one.

As for Non-conformists, who think the Government of Bishops unlawful, this Clause, that no foreign Bishop hath or ought to have any Jurisdiction in the *forum internum* wanted no relief in their Case from the Dispensative Power of interpretation.

Nor did those of the Church of England who convers'd with the Statute-Book want the Crown's interpretation of this Clause in the Oath; for the scope of the Statute of the 35th of H. the 8th, that enjoyn'd the old Oath of Supremacy (and from whence this Clause in the New one had its rise) was not to break the Measures of St. Cyprian about the Unity of Episcopal Power, but in effect to repress the Usurp'd independent Coactive Power of the Bishop of Rome, and which several of the following words in that Oath sufficiently evince, and which did bind the Swearer to defend and maintain all other Acts and Statutes made or to be made within this Realm for the Extirpation and Extinguishment of the usurped and pretended Authority, Power and Jurisdiction of the See and Bishop of Rome, &c. And Queen Elizabeth finding the Oath thus, at her coming to the Throne, she like a wise Reformer, would not make any breach in the World wider then necessity required; and probably supposing that mens Allegiance having been used to the yoke of several words in that Oath that related to the renouncing and forsaking of foreign Jurisdiction, would draw more quietly in the same, and that according to the Rule of *quod necessario subintelligitur non deest*, there being no *solutio continui* imagin'd by any to be design'd in the Unity of the Episcopal Power, when the Clause of utterly testifying and declaring, that neither the See nor Bishop of Rome hath nor ought to have any Jurisdiction, Power or Authority within this Realm,

Realm, &c. was inserted in the *old Oath*, it ought to be judged that nothing derogatory to the *order of Bishops* could be intended in the *Clause* of the *new Oath* by her introduced. And according to the *Rule of Analogum per se positum*, &c. Jurisdiction being to be taken for *Coactive Jurisdiction*, the *Clause* relating to any *foreign Prelates* having here *no Jurisdiction* hath been still meant of *none Coactive*. Mr. Rogers therefore writing on the 39 *Articles* hath thus fairly commented on that *Clause* in the 37th, **The Pope hath no Jurisdiction, &c.** *His Jurisdiction hath been and is justly renounced and banish'd out of England by many Kings and Parliaments, as by King Edward 1st, 3d, and 6th: by King Richard the 2d, Harry the 4th, 6th, 8th, and by Queen Elizabeth, and by our most noble King James.*

But that the *Church of England* intended no War against the *Unity of Episcopacy* by the *Canons of 1640*. (which yet have the words of *Popery's being a gross kind of Superstition*, and of the *Mass being Idolatry*, and do inflict a temporary disability, namely that of *Excommunication* on *Popish Recufants*) may appear by the *tenderness* there used to the *Church of Rome* in sparing to impute the *Superstition of Popery* to that whole *Church* by name. And the 6th *Canon*, having mention'd the *Convocation's being desirous to declare their sincerity and constancy in the Profession of the Doctrine and Discipline Establish'd in the Church of England* (i. e. the *Doctrine of the 39 Articles*) and to secure all men against any suspicion of revolt to *Popery*, or any other *Superstition*, and enjoyn'd a new *Oath* against all innovation of *Doctrine or Discipline* to be taken by the *Clergy* (the *assertory part* whereof hath in it an *Approbation* of the *Doctrine and Discipline or Government* established in the *Church of England*, as containing all things necessary for *Salvation*, and the *Promissory part*, a *Promise not to endeavour to bring in any Popish Doctrine contrary to that which is so establish'd*, &c. and not to give consent ever to subject it to the *Usurpations and Superstitions of the See of Rome*) Mr. Bagshaw in his *Argument* in Parliament concerning those *Canons*, took occasion to criticise on the not subjecting our *Church* to the *Usurpation and Superstitions of the See of Rome*, and to call it a *Negative Pregnant*; that is to say (as his words are) you may not subject the *Church of England* to the *See of Rome*, but to the *Church of Rome* you may. Now there is as much difference between the *See of Rome* and the *Church of Rome*, as betwixt *Treason and Trespass*, and this appears plainly by the *Statute of 23. Eliz. c. 1.* where it is said, that to be reconciled to the *See of Rome* is *Treason*: but to be reconciled to the *Church of Rome* is not *Treason*; for then every *Papist* would be a *Traytor*, being a *Member of the Church*, and therefore reconciled to it. Now the *See of Rome* is nothing else but the *Papacy or Supremacy of the Pope*, whereby by virtue of the *Canon, unam Sanctam*, made by *Pope Boniface the 8th*, he challengeth a *Superiority of Jurisdiction and Correction* over all *Kings and Princes upon Earth*: and those *Persons* which take the *juramentum fidei* contain'd in the end of the *Council of Trent*, which acknowl'dgeth this *Supremacy*, are said to be reconciled to this *See*. The *Church of Rome* is nothing else but a number of *Men* within the *Pope's Dominions* and elsewhere *Professing the Religion of Popery*: and that the *Clergy* had an ill meaning in leaving this *Clause* in the *Oath* thus loose, I have some reason to imagine when I find it in their late Books, that they say the *Church of Rome* is a true *Church*, and *Salvation* is to be had in it.

And if it were tanti after having said so much, to say yet any thing more to prop up the safety of your taking the *Oath of Supremacy* with the *Clause* whose sense hath been propp'd up by so many *Acts of the Dispensative Power of interpreting*, I could tell you that in *Sir John Winter's Observations*

tions on the Oath of Supremacy, Printed A. 1679. he having there consider'd Queen Elizabeths interpretation in the Admonition, and the Confirmation of that Admonition by her Majesty in Parliament by the Proviso in the Statute of 5^o Eliz. c. 1. and the whole drift of the Statute 1^o Eliz. by which the Oath was enacted, and what Bishop Carleton and the Primate Bramhal writ of the ancient Jurisdiction restored to the Crown by that Statute, and that on the whole Matter the design of the Oath was not to invest her with the exercise of the spiritual Jurisdiction left by Christ to his Apostles and their Successors, but to leave that entire to them, saith at the end of his Book, that it is not the true meaning of the Oath explain'd in manner as abovesaid, which makes many of the Roman-Catholicks refuse to take it, &c. and then makes the Explanations not being known to all, and their intricacy, and the constant tending of the Oath for so many years without the aforesaid Explanation, likely to give just Cause of Scandal, and thereupon he wishes that that Oath, and the other of Allegiance which are required of them under so great Penalties, may be clear'd of those doubtful Expressions in them which cause their scruples, &c. whereby they may to the entire Satisfaction of His Majesty and the Nation, fully testifie the Allegiance and Fidelity of faithful Subjects and true Patriots, and no longer remain as they generally now do distrusted, &c. But there was another Book that year Publish'd by a Roman Catholick, of which the title was *A seasonable Discourse shewing how that the Oaths of Allegiance and Supremacy (as our Laws interpret them) contain nothing which any good Christian ought to boggle at*, and where the Saying of Tertullian is quoted, *Bonæ res neminem scandalizant, nisi malam mentem*, &c. and where having taken notice of the Queen's Admonition, and the Proviso of the Statute of 5^o Eliz. and the 37th Article, and the Judgments of the Bishops, Bramhal and Carleton, as Sir John Winter had done (and for the same purpose) giveth his Judgment that the taking of those Oaths gives no Scandal: and he in p. 38. avers, that Sir John Winter told him many years ago that he had the Judgment of Sorbonists, Secular Priests, and Jesuites, that he might take the Oath of Supremacy, declaring the sense which the Law allows. And I shall here by the way take notice that as to the Oath of Allegiance, F. Cressy saith in his *Epistle Apologetical*, p. III. that few Roman Catholicks (if any at all) would refuse that Oath if that unlucky word heretical were blotted out, &c. or if they might change heretical into, contrary to the Word of God, which (he saith) he verily believes was the sense intended by King James.

But now after all this said, I shall tell you that according to what is observ'd by the generality of Writers, of Princes easing their Subjects by their Dispensative Power of interpreting their Laws, viz. That they take occasion then to intermix with such interpretation somewhat else that may advance their Power; there were Fears and Jealousies that some of these foremention'd interpretations, tho lessening the spiritual Power of the Crown might enlarge its temporal, and particularly such as in the Queen's Admonition mention'd the Duty, Allegiance and Bond acknowledg'd to be due to Harry the Eighth, and Edward the Sixth: and (as I partly before hinted) such as in the Proviso in the Act of the 5th of the Queen, that ratifying the Admonition hath in it the additional words of acknowledging in her Majesty, her Heirs and Successors the Authority that was challenged and lately used by Harry the Eighth, and Edward the Sixth, and such as in the 37th Article explain'd the Queen's Power by that given by God himself to all GODLY Princes in Scripture (and where notwithstanding the Word Godly being put in there to gild the Pill of the Absolute Power of the Jewish Kings, and to make it be the more easily swallow'd, the

real meaning was the Power given to all the Jewish Kings: for the right of their Power depended not on their Godliness) and such as in the Canons of King James *ipso facto* Excommunicate all that do not give the King the same Authority in Causes Ecclesiastical, not only that the Godly Kings had among the Jews, but what the Christian Emperors had in the Primitive Church. And there too notwithstanding the word Christian might be for the like reason put in as that of Godly was, and to cause the owning of that absolute Imperial Power, which pursuant to the *Lex Regia* was used by the Christian Emperors as well as their Heathen Predecessors in punishing Heterodoxy *ad libitum*, the meaning of the Canon was not to devest Heathen Emperors of their right of judging about Matters of Religion, and as to which Grotius in his Letter to the States Ambassador, having said, neither would Paul have appeal'd to Nero, had he judged that no right of Judging in a Case of Religion belong'd to him, addeth, Wherefore as Trajan Civilly honest, Nero wicked are equal in the Right of Government, so Pious Constantine and Impious Nero, are equal in the right of judging, in aptitude and skill unequal. The Canons therefore of Forty, enjoining the Explanation or Interpretation of the Regal Power there inserted to be one Sunday in every Quarter of the Year read by the Clergy to their Flocks, did well provide for the cautioning them as against the setting up any independent Coactive Power either Papal or Popular, so against Fears and Jealousies relating to their Properties in their Goods and Estates: and by that Explanation they shew that Christ came not to Undermine or Disturb, but to Confirm the Civil Government of Pagan Princes, and that in the first times of Christ's Church, Christians were ready to submit their very Lives to the very Laws and Commands of those Princes.

A. But doth that Explanation of the Regal Power assert any thing in Defence of the Dispensative part of it?

B. You see how without wyre-drawing any Consequences, the very first Paragraph of the Explanation doth both strengthen the foundation of the assertory part of your Oath, we have been so long discussing, and strike out new lights in the Fabrick of the Oath. You see it tells you downright, that A Supreme Power is given to the Order of Kings by God himself in the Scriptures, which is that Kings should rule and Command in their several Dominions, all Persons of what rank or estate soever, &c.

And the Explanation doth effectually enough provide by the second Paragraph that Kings should take care that none in their Dominions but the stubborn and evil doers may be restrain'd with the Temporal Sword: for it saith, The Care of God's Church is so committed to Kings in the Scripture, that they are commended when the Church keeps the right way, and taxed when it runs amiss: and therefore her Government belongs in chief to Kings. For otherwise one man would be Commended for another's Care, and taxed but for another's Negligence, which is not God's way. And this is an Argument taken *ab absurdo*, and the strongest that can be used in Law, and not to be set aside but by the alledging something as more absurd against it; and amounts to this, that it is absurd that Kings who are commended, when those who are not stubborn nor evil doers are not under any restraint by the Temporal Sword (for the Church runs not the right way, when that Sword is a terror to any but evil doers) and tax'd on the contrary being done, should not be judged to be authorized to exempt those from all restraint thereby. And when the People are not liable to blame for Kings erring in their Judgment about the Persons to be so exempted from restraint, nor to be commended or rewarded for their not erring therein; can any thing be more absurd, then for the independent

independent Coactive Power of Kings it self to be *restrain'd* to the Punishing such as they shall judge *Innocent*?

But the two *tenderest* things in the World are *Sovereign Power* and *Conscience*, and both of them were made with a *Godly Jealousie* and *tenderness* to support one another; and that *Tender-Conscienced Prince* who confirm'd this *Canon*, did in it variously *dispensare in lege*, as I may properly say with *Allusion* to *Suarez de Legibus*, where in stead of using the *Common Expression* of *dispensing WITH Laws* he so frequently mentions *that* of *dispensing IN them*, and thereby doth seem to take off somewhat of the harshness of Questions about *Popes* or *Princes dispensing WITH Laws*. For when *Sovereigns* do *dispensare in lege*, they really *distribute* their *Sovereign Power* throughout the *Body* of their respective *Laws* for their *Preservation*, and as the *heart* doth *dispense* or *distribute* *Blood* in and throughout the *Body-natural*, and the *Brain Animal Spirits* throughout the *genus nervosum* all the *Body* over. And here the *King* having a *tender* regard to the *firm* and *infirm* *Consciences* of his *People* respectively, and to their various *Capacities* of understanding, and he being as *Zealous* for all their *keeping* their *Oaths* of *Supremacy* and *Allegiance*, as any *Prince* could be for their *taking* them, doth in the beginning of the *Canon*, let such as you know (who have been brought up to *Study*, and who have a *tenacious* *Memory*, and could remember more *interpretations* of the *Oath* than I have recounted to you if they had been given by our *Princes*) that whereas sundry *Laws*, *Ordinances* and *Constitutions* have been formerly made for the *acknowledgment* and *profession* of the most lawful and independent *Authority* of our *Dread Sovereign Lord the King's most Excellent Majesty* over the *State Ecclesiastical* and *Civil*, &c. he doth enjoin them all to be carefully observ'd by all such *Persons* whom they concern upon the *Penalties* in the said *Laws* expres

Here then the *Acts* of *Parliament* before-mention'd, and the *Oaths*, and *Articles*, and *Canons*, and *Authentick interpretations* appear to look you in the face, and the *Articles* particularly do so to the *Clergy* as having subscribed them. But that *Pious Prince* as their *Sovereign Pastor*, being desirous that his *Clergy* should gently allure the *Layety* with *Line upon Line*, and *Precept upon Precept* to keep their *Faith* to *God*, and *Loyalty* to himself, rather than by *Interpretation upon Interpretation* of their *Oaths*, would not in this *Canon* have them frightened with the sight of the *Oaths* themselves, and which are there not named: and all *Archbishops*, *Bishops*, and inferior *Priests* are moreover by the *Canon* required to *Preach*, *Teach*, and *Exhort* their *people* to obey, honour, and serve their *King*, and that they presume not to speak of his *Majesty's Power* any other way than in this *Canon* is express'd; but which *Canon* gives them a very fair licence to speak to their *People* of and for the *King's Power* of *disabling* and of *rehabilitating* his *Subjects*. For it *disables* the publick *Abettors* of any *Position* contrary to the *Explications* of the *Regal Power* therein, by *Excommunicating* them till they *repent*, and for the first *Offence* *suspends* them two years from the *Profits* of their *Benefices*, and for the second *deprives* them of all their *spiritual Promotions*: and it was in the *Canon* before said, That if any *Parson*, *Vicar*, *Curate* or *Preacher*, shall neglect his *Duty* in *Publishing* the said *Explications*, &c. he shall be *suspended* by his *Ordinary*, till such time as upon his *Penitence* he shall give sufficient assurance or *Evidence* of his amendment, and in case he be of any *EX-EMPT* *Jurisdiction*, he shall be *cenfureable* by his *Majesty's Commissioners* for *Causes Ecclesiastical*. And the *Canon* makes any *Offenders* against it in the *Universities*, as being *exempt Jurisdictions*, there *cenfureable*

sureable, or before His Majesty's Commissioners for Ecclesiastical Causes; and so you have the Canon likewise by securing the Rights of exempt Jurisdictions asserting the *Dispensative Power*.

But if you will take Mr. Bagshaw's word in his first *Argument* in *Parliament* concerning the *Canons*, he there tells you that that very Canon of the Convocation containing the *Explanation of the Regal Power*, did necessarily imply their declared sense of the Laws being dispens'd with: For saith he, in making *Determinations concerning Royal Power*, they have done against Law, and have medled with things of which they have no Consuance: for the *Exposition of them belongs to the Judges of the Land*, and they have no more right to expound them, then the Judges have to expound Texts of Scripture.

And we know that our Laws have been so careful of preserving the Judges right of interpreting them, that they allow not the Bishops and their Officials Power to interpret any Acts of Parliament, tho made about Matters of their Jurisdiction, and Matters merely *Spiritual*: as appears out of *Hobart. 84. Spenloe's Case*, and *Coke 3. Inst.* where he saith, that an Act of Parliament made about things merely *Spiritual* shall be construed by the Common Law Judges.

But how far the disabling by the Power of His Majesty's Commissioners for Ecclesiastical Causes such who explain'd not the Regal Power according to that Canon might appear as an Instance of the Prerogative of Disabling and of occasional re-ennabling; Mr. Bagshaw's second *Argument* in effect exposeth it to Consideration, by mentioning that the last Letters Patents of the High Commission were Mich. 9. Car. in which are contain'd all things, wherein the Commissioners were to meddle, and that therefore the Punishing of any there on the account of this new Canon made not a year ago, could not be pursuant to those Letters Patents.

His first *Argument* likewise wherein he gives his Judgment, that by Law that Convocation was dissolv'd by the Dissolution of the Parliament, may let us see how far they in making any Canon depended on the *Dispensative Power of Prerogative*.

But any one who hates Faction will find that that Author did need'essly inflame the minds of that Parliament of Forty against those Canons and particularly with the foremention'd Exception against the first on the Account of the *Explanation of the Regal Power* having not been made by the Judges, and where the Exception doth through the sides of the Convocation strike at the honour of that King by whom those Canons were Confirm'd.

His Majesty in his memorable Speech at the Prorogation of the Parliament on the 20th of October 1628. occasionally said, *I Command all you that are here, to take notice of what I granted you in your Petition (i. e. the Petition of Right) but especially you my Lords the Judges, for to you only under me belongs the interpretation of the Laws: for none of the Houses of Parliament joyn't or separate, have any Power either to make or declare a Law without my Consent.* Nor will any one wonder at the tenderness of any Crown'd heads in preserving their Right, as to the interpretation of their Laws, who hath consider'd that the usage of the ancient Romans in making their Civil Law to be among the things Sacred and Ceremonies of their Gods preserv'd in the *Collegium Pontificum*, and appropriating the interpretation of it to their Pontifices, did induce Augustus to be inaugurated Pontifex Maximus, and likewise all the Roman Emperors from Augustus to Gratian to assume that title: and that the Christian Emperors, tho as one saith, *à sacris Romanorum & hoc Pontificis nomine abhorrebant, in suis tamen Elogiis & nummis passim se Pontifices maximos dici passi sunt, quod ad hodiernum diem rudera Romana insipientibus satis constat.*

Nor

Nor yet will any one find Cause to reflect on the memory of that our Prince for want of consulting his Judges in the interpretation of his Laws in general: nor even of this his Ecclesiastical Law in particular about the Explanation of the Regal Power. For Heylin in his History of Archbishop Laud, saith, that so tender was His Majesty, that before he gave his Consent that the Canons of 1640. should be tender'd to the Clergy, to be subscribed, he caus'd them to be publickly read in Council, and before the Judges there, and by all whom they were approved, &c. And if Mr. Bagshaw had consider'd what himself had said of the Judges having no Right to Expound texts of Scripture, and how the Convocation in that Canon did introduce the Supreme Power given to Kings by God himself in the Scripture, and explain'd by Regal Power, Kings ruling and commanding in their several Dominions all Persons of what rank, or estate soever, and that they should restrain and punish with the Temporal Sword all stubborn and evil doers; and likewise what was before mention'd in the Second Paragraph of the Explanation, viz. of the Care of God's Church committed to Kings in the Scripture, he would have found the Interpretation of the Regal Supremacy as built on the Scriptures by that Canon (and approved too by the Judges of the Land) to have not been exorbitant.

The words in the 13th of the Romans, of the Higher Powers being the Ordinance of God, and of bearing not the Sword in vain, and of being the Minister of God, and a revenger to execute wrath on him that doth Evil, and of rendring therefore to all their dues, fear to whom fear, honour to whom honour; and the words in S. Peter of submitting our selves to every Ordinance of man for the Lord's sake, whether it be to the King as Supreme, or unto Governors, as unto them that are sent by him for the Punishment of evil doers, and for the Praise of them that do well, and other passages in Scripture, and particularly in the Old Testament, were in the eye of the Convocation in their so explaining the Regal Power, and you may if you please have them now in your eye, while you are considering the Case before you, and see how far you are bound to submit to all Governors who shall be employ'd by the King in the executive Power of his Laws against evil doers, and for the praise of them that do well; and how you are not to disparage such Governors who are so sent for such praise.

But it is not to be wonder'd at that the Judges approved of the Contents of that Explanation of the Regal Supremacy, and particularly of the Power of punishing evil doers as inherent in the Crown, since the same hath been declared so by so many Acts of Parliament, and of which I shall name one to you that I have not yet referr'd to, viz. that of 10. Mariæ, c. 1. Sess. 2. of the Second Parliament, of which the title is, *The Regal Power is in the Queens Majesty as fully as it hath been in any her Progenitors*, and where 'tis said that *For as much as the Imperial Crown of this Realm with all Dignities, Honours, Prerogatives, Jurisdictions and Preheminences thereunto annex'd, united and belonging, by the Divine Providence of Almighty God is most lawfully and rightfully descended and come to the Queen's Highness that now is, &c. and invested in her Royal Person according to the Laws of this Realm, and by force and virtue of the same all Regal Power, Dignity, Honour, Authority, Preheminence doth appertain and of right ought to appertain and belong unto her Highness as to the Sovereign Supreme Governor and Queen of this Realm and the Dominions thereof in as full large and ample manner as it hath done heretofore to any other her most noble Progenitors Kings of this Realm*, (the ample manner of Harry the 8th's Power is not therein excepted) Nevertheless the most ancient Statutes of this Realm being made by Kings then reigning, do not only attribute and refer all Prero-

gative, Preheminence, power and Jurisdiction Royal unto the name of King, but also do give, assign and appoint the Correction and Punishment of all Offenders against the Regality and Dignity of the Crown, and the Laws of this Realm unto the King, &c.

And considering that a Popish *Parliament* of Queen *Mary's* did give this their august Declarative sense of the *executive Power*, of *punishing all Offenders against the Regality and Dignity of the Crown* (which is the great Offence taken at Popery) and the *Laws of the Realm*, as belonging to or inherent in our Kings by virtue of their being *Supreme Governors of the Realm*, and that this *Supreme Power* was *Committed to her and her Progenitors by the Divine Providence of Almighty God*, shall your acknowledgments of such *Supreme Power* of your Prince be narrower then any of *Papists*?

You know how wary and careful our *English Princes* have always been that their Subjects might see them hold the reins of the *Executive Power* of the Law in their hands, and that none but the *stubborn and evil doers* need fear the being over-run by it.

And while I happen to think of the memorable *Expression* of a Loyal Lord in a *Speech* in a late *Parliament* of the *unreasonableness* of any ones suffering merely by the word *Proditoriè* being put into the charge of a thing that was not in its self *Evil*, and as if it were said that such an one did traiterously pass over the *Thames* in a Boat: I likewise think of the *reasonableness* of our *Laws* in providing for the common *Safety* by the Prince being allow'd to hold the *Sail* of the *Executive Power* in his own hands, and which otherwise if ty'd fast about the Boat might cause it upon any sudden gust of wind to be overset.

You know therefore how King *James* the First in his *Apology for the Oath of Allegiance*, in *Answer* to the *Pope's first Breve*, thought himself obliged in justice for the maintenance of that *Executive Power* of the Crown to say as to the *Pope's* expressing his sorrow for that *Persecution* which the *Catholicks* sustain for the *Faiths* sake, wherein beside the main untruth whereby I am so injuriously used (as if he had thought it a personal injury to himself that any one in his Realm should be persecuted for Religion) I must ever avow and maintain as the truth is, according to mine own knowledge, that the late *QUEEN* of famous Memory never *PUNISH'D* any *Papist* for Religion. He doth not say, her *Laws*, and *Ministers*, but *SHE* never punish'd, &c. He well knew that if *Papists* had been *Punish'd* for their Religion in her Reign by *Judges*, and *Juries*, and *Sheriffs*, that it was she had punish'd them. And accordingly he in his *Premonition to Christian Monarchs* doth more regio, and with a style of Majesty relating to his *Executive Power*, thus tell them, viz. And yet so far hath both my Heart and Government been from any bitterness, as almost never one of those sharp Additions to former *Laws* hath ever yet been put in execution.

Well, Sir, In fine I leave it to you to consider on the whole matter how far the Contents of that Canon, and particularly what is declared therein about the care of God's Church being so committed to Kings in the Scripture, that they are commended when the Church keeps the right way, and blamed when it runs amiss, and therefore her Government belongs in chief to Kings, &c. do shew that Kings not only may, but ought out of a regard to their own Souls to provide that where the safety of their Subjects Souls is concern'd, their *Dispensative Power* by the interpretation of their Laws, and the relaxation of their Rigour in particular Cases may be exerted.

I doubt not but you have observ'd many more Cases wherein the Royal Martyr to prevent imminent peril of Soul was put to it to exert such his Power.

A. I remember not to have read of more.

B. No? If you had read the 39 *Articles* Printed in the *Edition* that I have done, with his *Declaration* prefix'd thereunto, you would find that there being a high ferment about the *Arminian* Controversie in the Church of *England*, and the *Arminian* and *Anti-Arminian* Divines (who both had subscribed the *Articles*) appropriating the sense of them to both their Perswasions, and too many drawing then the sense of them too much aside, and all of them professing themselves bound in Conscience by the Laws that required their Subscription to the *Articles*, and that their Subscription to them, was to be taken in the *Imposers* sense, and that as to the *Article* of the *King's* being *Supreme Governor* of the Church of *England*, it being supposed (as the words in the *Declaration* are) Some differences might arise concerning the *External Polity*, *Injunctions*, *Canons*, or other *Constitutions* thereto belonging; His Majesty by his *Declaration* again ratifying the *Articles*, and particularly publishing that he was *Supreme Governour* of the Church of *England*, did notify his Pleasure, that as to any such Differences arising as aforesaid, the *Clergy* in their *Convocation* should order and settle them, he approving their *Ordinances*, &c. and to the end they might not trouble themselves or the Church by putting their own interpretations on the *Articles*, he Requires their taking the *Articles* in the *Literal* and *Grammatical* sense, and notifies that *literal* sense as restrain'd to the way of the general Expressions in the *Articles*, and such as the *Divines* of the several Perswasions took as making for them: so that now by His Majesty's thus interpreting that sense, they might warrantably continue so to do. And according to what hath been said of *Manna*, that it was that to every man's taste wherewith it was pleas'd most, mens sense of the *Articles* might be so too, by means of the declared Complaisance of His Majesty therewith.

A. One would then the less wonder at the Complaisance of the *Clergy* with that *King's* Power of *Dispensing* in his Laws by *Interpreting* or *Declaring*.

B. I could tell you of another passage in his *Reign* that will shew you how our *Bishops* made use of that Power as their *Sheat Anchor* to preserve the *Hierarchy* in the *Storms* it met with: and how then the *Bishops* issuing out the *Processes* of their *Ecclesiastical* Courts in their own Names, was by the Artifice of the *Faction* improved as an occasion of making a very great ferment in Church and State, and such a one as nothing but the *Royal* Power of *Interpretation*, or of *declaring* the Law, could settle.

And therefore Archbishop *Laud* in his *Epistle* to the *King* before his famous *Star-Chamber* Speech, did in the Name of the Church of *England* then think himself obliged to apply to the *King* in a most pathetical and solemn manner to exert that great Power in that *Conjuncture*: viz. I do humbly in the Churches name desire of your Majesty, that it may be resolv'd by all the Reverend Judges of *England*, and then Publish'd by your Majesty, that our keeping Courts and issuing *Process* in our own Names, and the like Exceptions formerly taken and now renew'd, are not against the Laws of the Realm (as 'tis most certain they are not) that so the Church-Governors may go on cheerfully in their Duty, and the Peoples minds be quieted by this assurance, that neither the Law, nor their liberty as Subjects is infringed thereby.

The many Pamphleteers of the *Faction* who attacqued the *Hierarchy*, reproached them with the Non-observance of *Humane* Laws, and charged their Proceedings with *Illegality*, because by the Statute of 1^o E. 6. c. 2. that required *Processes* Ecclesiastical to be in the *King's* name, it was declar'd, That the *Bishops* sending out their *Process* in their own Names was contrary

trary to the Form and Order of the Summons and Process of the Common-Law used in this Realm. And therefore as Heylin tells us in the Life of Archbishop Laud, p. 321. in A. 1637. the King accordingly issued out his Proclamation declaring, That the Bishops holding their Courts, and issuing Processes in their own Names were not against the Laws of the Realm, and the Judges Resolutions were therein notify'd to that purpose. And upon all motions afterward for Prohibitions to the Ecclesiastical Court upon the pretence of their Processes not issuing out in the King's Name according to that Statute of E. the 6th, the currant Law hath still been in Westminster-Hall for keeping up the sense of His Majesty declared in his Proclamation as to that Point.

According to the manner then of praising the Bridge we go over, the Church of England having in Queen Elizabeth's time been preserv'd by the Regal Power of interpreting express'd in her Admonition, and by the like Power in the time of King Charles the First, and the *salus animæ* having been at stake as to the Oath in her time, and as to the avowed Principle of the Church of England about Humane Laws binding the Conscience in his time; the use of that Dispensative Power being like a Bridge that kept them from falling into the Pit of Perdition, deserv'd their Praise.

That eminent Divine Mr. John Ley in his Learn'd Book call'd *Defensive Doubts and Reasons for refusal of the Oath imposed by the Sixth Canon of the late Synod*, (i. e. that in the year 1640.) saith there, p. 99. and 100, &c. There are some of our Brethren, who (in good will to themselves and us) have undertaken to expound the Oath so as that they and we without scruple may take it. And we take kindly their good intention, and in good will to them again request them to consider, that a Private Interpretation of a Publick Act can give no satisfaction unless it be either expressly or virtually allow'd by the highest Authority that doth impose it: and then it is made Publick, &c. But the Authority of Interpretation of any doubt in such a Publick Act, belongs properly not to private but publick Persons, &c. For private Men tho Learned, if they take upon them the Interpretation of publick Dictates, may be more like to light on mutual Contradictions of each other, then on the true and proper Construction of the Text they interpret. So did Vega and Soto, Soto and Catherinus, who wrote against each other contrary Comments on the Council of Trent. In which respect it was a wise advice given to the Pope by the Bishop of Bestice, viz. to appoint a Congregation for the expounding of the Council: and well follow'd by him when he forbade all sorts of Persons, Clerks or Laicks (being private Men) to make any Commentaries, Glosses, Annotations, or any Interpretation whatsoever on the Decrees of that Council. Dr. Burgesse indeed made an Interpretation of his own Subscription, but there had been no validity in it (as we conceive) unless it had been allow'd by the Superior Powers. And so it was: for (as he saith) It was accepted by King James: and the Archbishop of Canterbury affirm'd it to be the true sense and meaning of the Church of England. He refers there to Dr. Burgesse in his Answer to a much applauded Pamphlet, Præfat. p. 26.

A. Your mentioning that of Dr. Burgesse his Interpretation of his Subscription minds me of what I have read at the end of his Book call'd *No Sacrilege nor Sin to alienate or purchase Cathedral Lands*, viz. in his Postscript to Dr. Pearson, and his *No Necessity of Reformation of the Publick Doctrine of the Church of England*, Printed A. 1660. where he saith, As touching the Regal Supremacy, we own and will assert it as far as you do or dare. Only we had reason to take notice of the improper Expression in the 37th Article that the Queen's Majesty hath the Supreme Power. For if the Declaration
father'd

father'd on the late King, and prefix'd to the Articles, had so much Power with his Printer, that he durst not alter the word **Queen** into **King** even in the year 1642, and those Articles must be read Verbatim without Alteration or Explanation, then we say again there is a Necessity of Reforming that Article in the expression of it: and not to talk at random what was indeed the meaning, unless we may have leave when we read it (*Regiâ declaratione non-obstante*) to declare the sense which the Declaration alloweth us not to do.

But the truth is, that exception of the Doctor to the Articles may well pass for a *Scruple*, or rather a *Cavil*: and at this rate we should be put to it to say, O King interpret for ever.

B. You say right. Dr. Pierſon in that Judicious Book of his, call'd *No Necessity of Reforming the Doctrine of the Church of England*, well observes that the 37th Article hath express reference to the Queen's Injunctions set forth in the year 1559. and those Injunctions take particular care, that no other Duty, Allegiance, or Bond should be required to the Queen, then was acknowledged to be due to the most noble Kings of famous Memory, King Henry the 8th her Majesty's Father, or King Edward the 6th, her Majesty's Brother. The words of the Article declare that the Doctrine contained in it, concerneth all the Kings as Kings. The title in General is of the Civil Magistrates, and the words run thus, where we attribute to the Queen's Majesty the chief Government we give not to our Princes, &c. shewing that what they gave to her, they gave to all the Kings of England. Which will appear more plainly out of the first Latine Copy Printed in the time of Queen Eliz. in the year 1563. read and approved by the Queen, the words whereof are these, *Cum Regiæ Majestati summam gubernationem tribuimus, quibus titulis intelligimus animos quorundam Calumniatorum offendi, non damus Regibus nostris aut verbi Dei aut Sacramentorum administrationem, &c.* Being therefore the Article expressly mentioneth and concerneth the Kings of England, as they are the Kings of England, the mention of the Queen's Majesty in the Article can make the Doctrine no more doubtful then it doth our Allegiance in that Oath which was made 1^o Eliz. where the Heirs and Successors of the Queen are to appoint who shall accept the Oath, the words of which are that the Queen's Highness is the only Supreme Governour of this Realm. But I hope the Heirs and Successors of Queen Elizabeth did never appoint that Oath to be taken in the Name of the Queen's Highness, but in their own.

It may be supposed that some such like Cavilling or Scrupling humour possess'd the fancies of some in the beginning of the Reign of King James the First: and that some occasion was thereby given to that Prince in those his Canons, expressly therein maintaining the 39 Articles, and the Subscription thereunto, and particularly in the 36th Canon there to enjoin a Subscription to three Articles in such manner and sort as is there appointed, and of which the first is, That the King's Majesty under God is the only Supreme Governour of this Realm, and of all other his Highness Dominions, &c. and that no foreign Prince, Person, Prelate, **PAPE** or **POPE** to have any Jurisdiction, Power, Superiority, Preheminence, or Authority Ecclesiastical or Spiritual, &c. and in which the words have or **OUGHT** to have, might possibly be inserted out of a Royal Complaisance with the Desires of some Scruplers in whose behalf the Famous Dr. Rainolds moved the King at the Hampton-Court Conference that to the Position in the 37th Article, viz. The Bishop of Rome hath no Jurisdiction in this Realm of England, might be added nor **OUGHT** to have: but which motion the King then rejected as a thing superfluous, and saying, *Habemus quod jure habemus.*

You may find an Account of this twofold *Subscription* in *Coke 4. Inst. c. 74.* and where he saith, *Subscription required by the Clergy is twofold: One by force both of an Act of Parliament CONFIRMING and Establishing the 39 Articles of Religion agreed upon at a Convocation of the Church of England, and ratify'd by Queen Eliz. (13. Eliz. c. 12.) Another by Canons made at a Convocation of the Church of England, and ratify'd by King James.*

A. I had thought you told me that the 39 *Articles* owed no *Confirmation* nor *Authority* to that *Act* of the 13th of *Eliz.*

B. I did tell you so: and do think that when my Lord *Coke* used the word *Confirming*, he spake *cum vulgo*, or as the word is taken *minus propriè* and as it is taken in *declarative Acts* of *Parliament* sometime to mean *declared*, and as I and others may in *Discourse* sometimes use the word. But (speaking properly) to *confirm* being *firmum facere*, i. e. what was not so before, you are not to think that the *Parliament* in 13^o *Eliz.* did so. They *Enacted* what was by the *Queen* before *authorized*, and as the words there are about the *Articles*, viz. *Put forth by the Queen's Authority.* And you may too for this purpose Consult the *style* of the *Act* 23^o *Eliz. c. 1.* Entituled, *An Act for retaining the Queen's Subjects in their due Obedience*, and where 'tis made *Treason* for any to *withdraw* any *Subjects* from their *Natural Obedience* to her *Majesty*, or to *withdraw* them for that intent from the *Religion* now by her *Highness* *Authority* establish'd within her *Dominions*.

Thus too as to the *Queen's disabling* several of the *Roman-Catholick Bishops* and *Deans* by her *Ecclesiastical Commissioners* in the beginning of her *Reign*, pursuant to the *Act* of 1^o *Eliz. c. 1.* for *restoring* to the *Crown* the *Ancient Jurisdiction*; the *Act* of *Parliament* 35^o *Eliz. c. 8.* entituled, *Every Deprivation of any Bishop or Dean made in the beginning of the Queen's Reign shall be good: and Archbishops, Bishops and Deans made by the Queen shall be adjudged lawful*; begins with acknowledging that the former were *justly deprived*, and it is therefore *Declared* and *Enacted* by *Authority* of this *Parliament*, that all and every *Deprivation*, &c. and all and every *Sentence* of *Deprivation*, &c. had, pronounced and given, &c. shall be adjudged, deem'd, and taken good and sufficient in *Law*, &c. and as to the latter, viz. That all such *Archbishops*, *Bishops* and *Deans* as were ordain'd or made by the *Authority* or *Licence* of the *Queen's Majesty*, &c. shall be taken and adjudged to be lawful, &c. They confirmed not what the *Queen* did in *disabling* the former, and *enabling* the latter, but only *declared* and *enacted* the validity of what the *Queen* had done. And here you have again the *Judgment* of *Parliament* for approving the *Queen's Power* of *Enabling* and *Disabling*.

And here too (by the way) I am to tell you, that you have another judgment of *Parliament* suitable to that in 8^o *Eliz.* and for the *adjudging* and *taking* to be *Lawful* the *making* and *ordaining* of the *Archbishops* and *Bishops* by the *Authority* or *Licence* of the *Queen's Majesty*, &c. any ambiguity or question in that behalf heretofore made to the contrary notwithstanding, and which *QUESTION* before made in the *Case*, I have before shew'd to be *disability*.

A. But I suppose you have read of that *TWO-FOLD Subscription* my Lord *Coke* speaks of, represented as a *Gravamen* by some.

B. I have so: and the last Book I read that so represents it is, the *Answer* to *Dr. Stillingfleet's Sermon* by some *Non-Conformists*, &c. Printed A. 1680. and where in p. 29. they thus express their desires, viz. *That all New devised Oaths, Subscriptions and Declarations, together with the Canonical*

nical Oath, and the Subscription in the Canons be suspended for the time to come. If that be too much, we shall content our selves with a modefter motion, that whatsoever these Declarations be that are required to be made, subscribed, or sworn, they may be imposed only as to the matter and end, leaving the takers but free to the use of their own Expressions. And this expedient we gather from the Lord Coke, who hath providently (as it were) against such a Season laid in this Observation, The form of the Subscription set down in the Canons ratify'd by King James, was not express'd in the Act of the 13th of Eliz. 4. Inst. c. 74. And consequently if the Clergy enjoy'd this freedom till then, in reference to the particulars therein contain'd, what hinders why they might not have the same restored in reference also to others?

It was the second Article enjoyn'd by that Canon to be subscribed, viz. That the Book of Common-Prayer, &c. containeth in it nothing contrary to the Word of God, and that it may lawfully be used, &c. at which they took so much offence, and to which the Act of Parliament required not their Subscription.

A. I perceive then my Lord Coke doth not reflect on the form of Subscription, as enjoyn'd by the 36th Canon of King James, and by his Regal Authority out of Parliament as illegal, notwithstanding what had been enacted in the 13th of Queen Elizabeth.

B. He doth not. And he there further saith, By the Statute of 13. Eliz. the Delinquent is disalld and deprived ipso facto: but the Delinquent against the Canon of King James is to be proceeded withall by the Censures of the Church. And I heard Wray Chief Justice in the King's Bench, Pasch. 23. El. report, That where one Smith subscribed to the said 39 Articles of Religion with this addition, so far forth as the same were agreeable to the Word o. God, that it was resolv'd by him and a'l the Judges of England, that this Subscription was not according to the Statute of 13. Eliz. because this Statute required an absolute Subscription, &c. Besides this Subscription when any Clerk is admitted and instituted to any Benefice, he is sworn to Canonical Obedience to his Diocefan.

But as to his saying that the Delinquent against this Canon is to be proceeded withall by the Censures of the Church; I shall observe that the beginning of the Canon doth incapacitate any to be receiv'd into the Ministry who doth not subscribe the three Articles in it, and that the Canon doth afterward put some temporary Disabilities on Bishops who shall Ordain, Admit or License any one, except he first have subscribed in manner and form there appointed: and it is the Universities if offending that the Canon leaves to the Danger of the Law and His Majesty's Censure.

Here then you see King James the First did out of Parliament add a new Subscription to what was required by the Act of Parliament, and did likewise out of Parliament make incapacity to be the Punishment of refusing such new Subscription.

And I need not tell you that that Power so exercised by that Prince out of Parliament hath been approved not only by all the Bishops of the Church of England, as putting the Form of Subscription required by that Canon in execution ever since and to this day in lieu of the form required by the 13th of Eliz. but (as I may say) virtually and tacitly by all our Kings and Parliaments ever since, who have acquiesced in the same. But what if I should tell you that the Authority of the King in thus making that Canon about Subscription, hath been since expressly approved in Parliament?

A. I should be most ready to hear it.

B. You

B. You may therefore please to consult the *Act for Uniformity* 16^o Car. 2. and in the latter end of it you will see that in a *Proviso* referring to the 39 *Articles* as agreed on by the *Archbishops*, &c. A. 1562. and particularly to the 36th therein about the *Book of Consecration of Archbishops*, &c. set forth in the time of *Edward the 6th*, as containing all things necessary to such *Consecration and Ordering*, &c. It is *Enacted*, &c. that all *Subscriptions* hereafter to be had or made to the said *Articles* by any *Deacon*, *Priest*, &c. or other person whatsoever, who by this *Act* or any *OTHER LAW* now in force is required to subscribe unto the said *Articles* shall be construed and taken to extend and shall be applied (for and touching the said 36th *Article*) to the *Book* containing the form and manner of making, ordaining, and consecrating of *Bishops*, *Priests*, &c. in this *Act* mentioned in such sort and manner as the same did heretofore extend to the *Book* set forth in the time of *King Edward the 6th* mention'd in the said 36th *Article*, any thing in the said *Article*, or in any *Statute*, *Act*, or *Canon* heretofore had or made to the *Contrary* hereof in any wise notwithstanding.

It is clear that the *Parliament* had then their *Eye* on the *Act* of 13. *Eliz.* and on that *Canon* of *King James*, and which you may take as *referr'd* to by the words, or any other *Law* now in force (for so they then knew it to be, and as it still is, tho with the *interpretation* extended by the *Act* to it) and afterward by the word *Canon*.

But one may guess that by the *Authority* of some of the *Lords* the *Bishops* there was before the making of this *Canon* of *King James*, and after the *Act* of 13. *Eliz.* in her *Reign*, some *Subscription* under *disabling* Penalties required of *Ministers* beyond what that *Statute* required, by what the *Author* of *Certain Considerations tending to promote Peace* mentions, in p. 4. viz. That in the 30th year of the *Reign* of *Queen Elizabeth*, the *House of Commons* presented to the *Lords Spiritual and Temporal* a *Petition* containing divers particulars, for the redress whereof they desire, that no *Oath* or *Subscription* might be tender'd to any at their entrance into the *Ministry*, but such as is expressly prescribed by the *Statutes* of the *Realm*, except the *Oath* against *Corrupt* entring, that they may not be troubled for the omission of some *Rites*, or *Portions* prescribed in the *Book of Common Prayer*: that such as had been suspended for no other *Offence*, but only for not subscribing might be restored.

A. It seems those *Bishops* then did as your *Expression* was, *Dispensare in lege*, and were (as I may say) *Non-conformists* to it, by going beyond it. For they were obliged *sapere ad Regulam*; and all *Conformity* is *respectu regulæ*, and he who doth over-shoot, or who over-does what is enjoyn'd, is a *Non-conformist*.

B. You here put me in mind how some of our *Bishops* and *Clergy* have been thus *Non-conformists* in over-shooting their mark, at the same time that they have with undistinguishing severity executed the rigour of the *Laws* against all who did shoot short. The *Royal Martyr* in his *Declaration* to all his *Loving Subjects*, Publish'd with the *Advice* of his *Privy Council*, A. 1641. refers to some *Ceremonies* in our *Church* which have been used without any legal *Warrant* or *Injunction*, and which already are, or speedily may be abolish'd.

A. But I a little wonder that a *House of Commons* should *Petition* for the *Dispensing* with some legal *Rites*, and required both by *Injunctions* and *Canons*, and by *Acts* of *Parliament*.

B. I do not wonder at it at all. For *Conjunctures* having happen'd when some *Non-conformists* having been tender of the *Peace* of the *Government*,
you

you need not wonder at any tenderness in it for them. For as in the Conjunction of the *Restoration* of King *Charles* the Second, very many of the *Presbyterians* and of other Sects then shewing their *Loyalty* (the *Author* I lately cited taking notice thus of the *Declaration*, A. 1660. viz. in which his Majesty saith Our present Consideration and work is to gratifie the private Consciences of those who are grieved with some Ceremonies, by indulging to and dispensing with the omitting of those Ceremonies. A Member of the House of Commons in an Epistle to His Majesty useth these words, viz. which Indulgent Declaration so ravished the hearts of all your Loving Subjects, that your whole House of Commons, their Representatives then assembled in Parliament, immediately after the Publication, October 8th. 1660, repair'd in a Body to White-hall, and there by their Speaker's Oration in the Banqueting-House, express'd their extraordinary great Joy, and presented their general Thanks to your Majesty for this your Majesty's most gracious Declaration and Dispensation with their Consciences in Matters not being of the substance or essence of Religion, which gave abundant satisfaction to all peaceable sober-minded Men, and such as are truly Religious, in which return of their Thanks they were all unanimous, Nemine Contradicente, then Ordering a Bill in Pursuance of your Majesty's Declaration: Note, that this was that House of Commons, which together with the House of Lords brought His Majesty to the Throne) so long before, namely in the first year of King *Charles* the First, and A. 1625. both Houses presented a Petition to the King, wherein they desire that His Majesty would please to advise the Bishops ly fatherly entreaty and tender usage to reduce to the peaceable and orderly Service of the Church such able Ministers as have been formerly SILENCED, &c. and which is in effect, all one, such able Ministers as have been formerly disalld.

A. I am highly pleas'd with your further bringing any thing to me like Judgment of Parliament that may strengthen the Regal Power of interpreting, or of dispensing with disability. We have discours'd of the Subject a pretty while together at this Meeting, and I must acknowledge you have entertain'd me with an account of many Statutes that have propp'd up the Regal Power of dispensing with disability: and that too (tho you observ'd it not to me) not only in their Preambles, but in their enacting parts, the which I account more momentous. Nor can I forbear observing it to you, that in the late Printed Books of some who asserted this dispensative Power, nothing like Judgment of Parliament hath been cited in the case for it, but that out of Rot. Parl. 1. H. 5. 11. 22. out of Ro'le Tit. Prerogative le Roy, fol. 180. viz. The Commons prayed that the Statutes for voiding of Aliens out of the Kingdom might be executed, to which the King agreed saving his Prerogative, that he might dispense with such as he pleas'd. And upon this the Commons answer'd, that their intention was no other, nor ever should be, by the help of God.

But this was only the judgment of a House of Commons; and that is short of the Authority of a House of Lords concurring with them, tho but in a Petitionary manner, that the Regal Dispensative Power might be exerted: and which latter is far short of the Authority of an Act of Parliament. And among the many Parliamentary Recognitions of the Dispensative Power you have mention'd to me, that which you told me at our first meeting of the Act of Uniformity 16^o Car. 2. leaving Aliens or Foreigners of the Reform'd Churches that were then allow'd or tolerated by the King's Majesty, or that should be allow'd by him, his Heirs and Successors, to be secured under the Wing of Prerogative from all the Penalties in that Act, was a greater President of a Parliament's deference to the Dispensative Power.

A a

But

But here it falls in my way to ask you if the *Parliament* in that *Act*, interpreting and expounding the *Subscription* to the 36th *Article* (as you before mention'd) did not shew some want of tenderness to the *Regal Power* of interpreting?

B. Not in the least. The King thought fit in his *Legislative Capacity*, and with the Concurrence of the three Estates to issue forth such interpretation, to the end it might be perpetuated. But you will find that they were so tender of that branch of Prerogative, namely of the *Regal Power* of interpreting out of *Parliament*, that having referr'd to the King's *Declaration* of the 25th of *October*, 1660. (*i. e.* that concerning *Ecclesiastical Affairs* we spoke of before) and mention'd that according to that he had granted his Commission to several Bishops and other Divines to review the *Book of Common Prayer*, and to prepare such Alterations and Additions as they thought fit to offer, and that afterwards the Convocations of both the Provinces of *Canterbury* and *York*, being by His Majesty called, &c. His Majesty hath been pleas'd to Authorize the Presidents of the said Convocation, and other the Bishops and Clergy of the same to review the *Book of Common Prayer*, and the *Book of the form and manner* of the making and consecrating of Bishops, Priests, &c. and that they should make such Additions and Alterations in the said Books as to them should seem meet, and should present the same to His Majesty for his further Allowance or Confirmation, and then setting forth that the same was accordingly done, and that some alterations were inserted into those Books by the Convocations, and by them Presented to His Majesty, and all which His Majesty having consider'd hath fully approved, it then follows, that His Majesty hath recommended to this present Parliament that the Books of Common Prayer, &c. with the Alterations and Additions which have been so made and presented to His Majesty by the said Convocations, be the Book which shall be appointed to be used, &c. in all Parish Churches and Chapels, &c. And it is upon the foundation of what His Majesty did as before-mention'd, that the following enacting Clauses with their Sanctions and Penalties are built.

And you may if you will take notice of a *Proviso* toward the end of the *Act*, being very tender of not hurting what King James by his Prerogative did in *Uniting* the *Prebendship* to the *Professor of Law* in *Oxon* for the time being, and whereby that King dispens'd with the incapacity of *Lay-men*, as to the enjoyment of such *Prebendship*: but the *Act* and the *Proviso* takes care to perpetuate the King's Professor's enjoying the same, and leaves the *Prerogative* at liberty to dispense with such disability in the Case.

In short, you see how tender that *Parliament* was of *Prerogative*, and tho they thought it not fit to give such loud Applauses to his late Majesty's *Declaration* of *October* the 25th, A. 1660. before-mention'd, wherein so much of the *Dispensative Power* was exerted, yet you find they refer to it with respect.

A. I have almost forgot the particulars of the *Dispensative Power* therein exerted.

B. I shall tell you that the King having there mention'd (and what the *Act* takes notice of) his saying that he would appoint some Divines to review the *Common Prayer Book*, and to make such Alterations as shall be thought most necessary, &c. it then saith, Our Will and Pleasure is, that none be punish'd or troubled for not using it until it be review'd, and effectually reform'd. He there speaks several times of Dispensing with Ceremonies, that were by Law establish'd. It is there likewise said, Because some men otherwise Pious and Learned say, They cannot conform unto the Subscription

scription required by the Canon, nor take the Oath of Canonical Obedience, we are Content, and it is Our Will and pleasure (so they take the Oaths of Allegiance and Supremacy) that they shall receive ordination, institution and induction, and shall be permitted to exercise their Function, and to enjoy the profits of their Livings without the said Subscription or Oath of Canonical Obedience, &c.

A. I see here is King James the First's incapacitating Canon dispens'd with, and indeed *suspended*.

B. The *Declaration* goeth on with taking care that None be Judged to forfeit his Presentation, or Benefice, or be deprived of it upon the Statute of the 13th of Elizabeth, c. 12. so he read and declare his Assent to all the Articles of Religion, which only contain the Confession of the true Christian Faith, and the Doctrine of the Sacraments comprised in the Book of Articles in the said Statute mentioned. And this *Declaration* had before express'd His Majesty's mindfulness of his *Declaration* from *Bredagh*, and his saying, We publish'd in our *Declaration* from *Bredagh*, a Liberty to tender Consciences, and that no man should be disquieted or call'd in Question for Differences of Opinion in Matters of Religion, which do not disturb the Peace of the Kingdom, and that we shall be ready to consent to such an Act of Parliament as upon mature deliberation shall be offer'd us for the full granting that Indulgence. Here was a *Liberty of Conscience* granted and publish'd, and Heterodoxy about the very *Articles of Religion* tolerated, and a throwing off of *Penal Laws*, and for which *Declaration* I should have told you, that *Baker's History*, p. 703. mentions, that the House of Lords order'd Thanks to be given to the Messenger who brought that gracious *Declaration*.

A. And yet you say the *Declaration* October 25. 1660. thus dispensing with disability incurr'd by the Canon, and the 13th of Eliz. and by Queen Elizabeth's Act of Uniformity, was both approved and applauded by the former Parliament. I have not heard of the like in the kind of it.

B. No doubt but the *Author* there referr'd to the *Declaration* of Octob. 25.

A. 1660. for which the House of Commons so express'd their thanks: however by the supposed carelessness of the *Printer*, the Publication is said to be October 8th. 1660. For the words by him cited as said by his Majesty, viz. *Our present Consideration and work is to gratify, &c.* are in that *Declaration*, p. 15. and 16.

But if it were not for cloying you with other like *Instances*, I could tell you of the like in the beginning of the Reign of King James the First.

A. I pray speak not of cloying. My Patience may be soon forfeited with two or three such things as some call *Presidents*. But this thing call'd *Judgment of Parliament* carries with it so much weight as well as *Veneration*, that you can no way more oblige me then by going on to entertain me with *Instances* of that kind.

B. Why, then I can tell you if you will at any time turn to your *Collection of Proclamations* in the time of King James the First, you will find that in his *Proclamation* of March the 5th, the first year of his Reign, he intimates that with the Consent of the Bishops present in the Hampton-Court Conference he thought meet that some small things might rather be explain'd then changed in the Book of Common Prayer, and for that end gave forth his Commission under the Great Seal of England, according to the Form which the Laws of this Realm in like Case prescribed to be used to make the said Explanation, and to cause the whole Book of Common Prayer with the same Explanation to be newly Printed, which being done and establish'd, anew after so serious a Deliberation,

tion, &c. we have thought it necessary to make known by Proclamation our authorizing of the same, and to require and enjoin all men, as well Ecclesiastical as Temporal to Conform themselves to it, as the only publick Form of serving God, establish'd and allow'd to be in this Realm. And the rather for that all the Learned Men who were there present, as well of the Bishops as others, promised their Conformity in the practice of it, only making sute to us that some few might be born with for a time. Wherefore we require all Archbishops, Bishops, and all other publick Ministers, as well Ecclesiastical as Civil, to do their Duties in causing the same to be obey'd, and in punishing the Offenders according to the Laws of the Realm heretofore establish'd for the Authorizing the said Book of Common Prayer.

You see there that all the *Bishops* and the great *Parade* of the *literati* present at that famous *Conference*, did implore the King for the exercise of his *Dispensative* Power for a while to some few.

But what is more considerable is, that the King here doth make a general *relaxation* of the *Bond* of *Queen Elizabeth's Act of Uniformity* in some things; and instead of inserting an expresse *Clause* of *discharging* from the *Penalties* of that *Act*, all that use the *Common Prayer Book* with the King's *Alterations* or *Explanations*, as *Queen Elizabeth's Admonition* did in relation to those who took the *Oath* of *Supremacy* in the *sense* of her *Interpretation*, (a thing indeed not necessary for either of them to have done when they had loosen'd the *bond* of the *Observance* of the *Law*) he enjoyns the *uniform* usage of the *Book of Common Prayer*, as by him interpreted or explain'd (the title of the Proclamation being *A Proclamation for the authorizing an Uniformity of the Book of Common Prayer to be used throughout the Realm*) under the *disabling* Punishments of *Queen Elizabeth's Act of Uniformity*; the *Bishops* all this while being ministerial to the King in his Power of thus interpreting, and explaining an *Act of Parliament*, and the loosening of its *Obligation* both as to themselves and others.

I am to tell you, that in that *Proclamation* of *March the fifth*, the King refers to a *Proclamation* he had before Publish'd on the 24th of *October* then last past, wherein he gave the *Puritan* Divines an intimation of the *Conference* he intended to have: and in which he reflects on the heat of their *Spirits* as tending rather to *Combustion* than *Reformation*, which (saith he) if there be Cause to make, is more in our hearts than theirs, &c. and afterwards saith, we are not ignorant that time may have brought in some *Corruptions*, which may deserve a review and amendment, which if by the Assembly intended by us, we shall find to be so indeed, we will therein proceed according to the *Laws* and *Customs* of this Realm by Advice of our Council, or in our High Court of Parliament, or by Convocation of our Clergy, as we shall find reason to lead us: not doubting but that in such an orderly proceeding, we shall have the *Bishops* & others of our Clergy no less willing and far more able to afford us their Duty and Service, than any other whose Zeal doth go so fast before their discretion.

And the *Proclamation* in *March* following shew'd you how the King's reason lead him in his Proceeding in the *Affair* according to the *Laws* and *Customs* of this Realm, and how loyally his *Bishops* and Clergy acquiesced therein.

A. I remember I have read both these *Proclamations*; and I doubt not but that *Hampton-Court Conference* made a great ferment in the Body of the People, tho none in the *Orthodox* Clergy. But I should be glad to know whether it made any fermentation in the Body of the People Representative, and

and what was the *Result* of it? Did the *Parliament* acquiesce in what the King had done as aforesaid? For if so; they had done as *Queen Elizabeth's* *Parliament* in publickly approving what she by her own *Ecclesiastical Supremacy* did in discharging the *disabling* Penalties in her first *Act of Parliament*, and in *relaxing* by her *interpretation*, the *vinculum* for its observance in that sense that many had before put on it.

B. King James his *Parliament* did in effect, the very self-same thing. And I shall give you the account of it out of his *Proclamation* of the 16th of July, A. 1604. in the Second year of his Reign: for there having spoke of that *Conference* and of his having *Publish'd* by *Proclamation* what was the issue of it, and his hoping that when the same should be made known all reasonable Men would have rested satisfy'd with that which had been done, and not have moved further trouble of Speech of Matters whereof so solemn and advised deliberation had been made, His Majesty's following words are, *Notwithstanding* at the late Assembly of our *Parliament*, there wanted not many who renew'd with no little earnestness the Questions before determin'd, and many more as well about the Book of Common Prayer, as other Matters of Church Government, and importuned us for our assent to many Alterations therein: but yet with such Success, as when they heard both our own Speeches made to them at sundry times, shewing the Reasons of our former Proceedings in those Matters, and likewise had had Conference with some Bishops, and other Lords of the Upper House about the same, they desisted from further Prosecution thereof, finding that of all things that might any way tend to the furtherance of Religion and of Establishment of a Ministry fit for the same, we had before with the Advice of our Council, had such Consideration as the present state of things would bear, and taken order how the same should be prosecuted by such means as might be used without any publick disturbance or innovation.

And in how vigorous a State the *Dispensative* Power as to the *Non-conformists* afterward continued in the Reign of that Prince appears by what I have before cited of an Application made to him by the House of Commons for the exercise of the same to the *Non-conformists*, in the 10th year of his Reign.

Moreover how by *Tacit* Dispensation he *dispens'd* with the *Disabilities* that Roman Catholick Physicians and Lawyers had incurr'd by his *Acts of Parliament*, I have told you. But what if I should now tell you how afterwards he did take care as it were *unâ liturâ*, to delete the Execution of all the Penal Laws, disabling ones, and others, against the Roman Catholicks; and that as to what he did therein, the most zealous Protestants among his Bishops, and the Lords Temporal and others of his Privy Council, did concur with him in so doing?

A. I think you would tell me of that which was very strange.

B. As in the *Happy future State* of England it was with an intent to detect the Degeneracy and Vanity of the Politick and Protestant-would-be's of the Age who pretended to Advance Religion by Excluding the next Heir, in p. 219. shewn that one of the general and publick Articles sent by King James the First to his Ambassador in Spain, in Order to the Match with the Infanta was, that the Children of this Marriage shall no way be compell'd or constrain'd in point of Conscience or Religion, wherefore there is no doubt that their title shall be prejudiced in case it should please God that they turn'd Catholicks, and that it was afterward sent as an additional Article offer'd from England, that the King of Great Britain and Prince of Wales should bind themselves by Oath for the Observance of the Articles, and that the Privy

Council should sign the same under their Hands, and that accordingly the Articles were sign'd by Archbishop Abbot, John Bishop of Lincoln, Keeper of the Great Seal, Lionel Earl of Middlesex, Lord high Treasurer of England, Henry Viscount Mandevile, Lord President of the Council, Edward Earl of Worcester, Lord Privy Seal, Lewis Duke of Richmond and Lennox Lord high Steward of the Household, James Marquess of Hamilton, James Earl of Carlisle, Lancelot Bishop of Winchester, Oliver Viscount Grandison, Arthur Baron Chichester of Belfast, Lord Treasurer of Ireland, Sir Thomas Edmonds Knight, Treasurer of the Household, Sir John Suckling, Comptroller of the Household, Sir George Calvert, and Sir Edward Conway, Principal Secretaries of State, Sir Richard Weston, Chancellor of the Exchequer, Sir Julius Caesar, Mr. of the Rolls; and for the truth of which Facts, reference is there made to Mr. Prynne's Introduction to the Archbishop of Canterbury's Trial, p. 43: so you may there read it in p. 44. that some private Articles were agreed on, and probably were Sworn to by the same Persons that the other general ones were: and of which private ones, the first was in short, That none of the Penal Laws against Roman Catholicks should at any time hereafter be put in Execution.

But you may thus see it at large: viz. That particular Laws made against Roman Catholicks, under which other Subjects of our Realms are not comprehended, and to whose Observation all generally are not obliged, as likewise general Laws, under which all are equally Comprised; if so be they are such as are repugnant to the Romish Religion, shall not at any time hereafter by any means or chance whatsoever directly or indirectly, be commanded to be put in Execution against the said Roman-Catholicks. And we will cause that our Council shall take the same Oath, as far as it pertains to them, and belongs to the Execution which by the hands of them and their Ministers is to be exercised.

The 2d was, That no other Laws shall hereafter be made anew against the said Roman Catholicks; but that there shall be a perpetual Toleration of the Roman Catholick Religion within Private Houses throughout all our Realms and Dominions, which we will have to be understood, as well of our Kingdom of Scotland and Ireland, as in England, &c.

And the 4th was, That we will interpose our Authority, and will do as much as in us shall lie, that the Parliament shall approve, confirm and ratifie all and singular Articles in favour of the Roman-Catholicks, capitulated between the most renowned Kings, by reason of this Marriage; and that the said Parliament shall revoke and abrogate the particular Laws made against the said Roman-Catholicks, &c.

And the Conclusion there is, viz. That we will interpose our Authority, and will do as much as in us shall lie, that the Parliament shall approve, confirm and ratifie all and singular Articles in favour of the Roman-Catholicks, capitulated between the most renowned Kings, by reason of this Marriage; and that the said Parliament shall revoke and abrogate the particular Laws made against the said Roman-Catholicks, to whose observance also: the rest of our Subjects and Vassals are not obliged; as likewise the general Laws under which all are equally comprehended, to wit, as to the Roman-Catholicks, if they be such as is aforesaid, which are repugnant to the Roman-Catholick Religion: and that hereafter we will not consent, that the said Parliament should ever at any time Enact or Write any other new Laws against Roman-Catholicks. We accounting all and singular the preceding Articles, ratified and accepted, out of certain Knowledge, as far as they concern us, our Heirs or Successors, approve, ratifie, applaud, and promise, bonâ fide, and in the word of a King by these Presents inviolably, firmly, well and faithfully to keep, observe,

observe, and fulfill the same, and to cause them to be kept, observed and fulfilled without any Exception or Contradiction, and do confirm the same by Oath upon the holy Evangelists, notwithstanding any Opinions, Sentences or Laws whatsoever to the contrary: In the presence of the most Illustrious Don John de Mendoza, Marquess of Inojosa, and Don Charles Coloma, Extraordinary Ambassadors of the Catholick King, of George Calvert Knight, one of our Chief Secretaries, of Edward Conway Knight another of our Chief Secretaries, of Francis Cottington Baronet, of the Privy Council to our Son the Prince, of Francis de Corondelet, Apostolical (or the Pope's) Prothonotary, and Arch-Deacon of Cambray. Dated at our Palace at Westminster, the 20 day of July, 1623. in the English style.

Jacobus, Rex.

A Compared and true Copy.

George Calvert, Chief Secretary.

The Form of the Oath which the Lords of the Council took to the former Articles is this which followeth, (found among the Lord Cottington's Papers.)

Formula Juramenti à Consiliariis Præstandi.

Ego N. Juro me debitè plenèque observaturum, quantum ad me spectat, omnes & singulos Articulos, qui in tractatu Matrimonii, inter Serenissimum Carolum, Walliæ Principem, & Serenissimam Dominam Donnam Mariam Hispaniarum Infantem, continentur. JURO ETIAM, Quod neque per me, nec per Ministrum aliquem inferiorem mihi inservientem, legem ullam contra quemcunque Catholicum Romanum conscriptum executioni mandabo, aut mandari faciam, Pœnamve ullam ab earum aliqua irrogatam exigam. Sed in omnibus quæ ad me pertinent, Ordines à Majestate sua ex ea parte constitutos fideliter observabo.

Thus far Mr. Prynne; who verifies the Facts above-mention'd, not only from my Lord Cottington's Papers, but from the *Mercure Francois*, Tom. 9. A. 1624. p. 25, 26, 27. and on which Author he in p. 47. bestows the Character of one of the truest Historians of this latter Age: and whom Mr. Prynne had before in p. 40. cited for the truth of the general Articles referring to Tom 9. p. 11. and 28. And I shall here observe to you, that what Mr. Prynne hath set down as aforesaid, to be the Form of the Oath took by the Lords of the Council to the former Articles, doth appear to be referr'd by him to both sorts of Articles, viz. both the general and the private ones. For tho toward the end of the general Articles it appear'd only that the King and Prince were to be Sworn that all the Privy Councillors should sign those Articles under their hands, and that the King Subscribed those Articles, and was sworn to them in the presence of those Bishops and other Privy Councillors before named; yet the first of the private Articles agreeing that the Council should take the Oath as far as pertain'd to them, and belong'd to the Execution which by the hands of them and their Ministers is to be exercised, that the Penal Laws should not be executed against Roman-Catholicks, I account it appears according to Mr. Prynne that the Privy Councillors were Sworn to both Articles together: and that by the words of *JURO ETIAM*, &c. the private Articles were referr'd to; and the which will appear the more manifest, if you consider that the general Articles had not one word therein for the tolerating of more Papists then those of the Infanta's Family, and such who particularly belong'd to her. Nor was there any thing more as to the Privy Councillors agreed to in the general Articles, then their signing them. And both the general and private Articles bearing the

the same Date, it may be the rather supposed that *pursuant* to the first *private Article*, containing the King's Covenant for the Privy Council's being *sworn* to them, that the *Bishops* and the other *Privy Councillors* might then be *sworn* to them, as well as their having then particularly signed or *subscribed* the *general Articles* appears: for so Mr. Prynne's words are, p. 44. *The King and the Embassadors went to the Council-Chamber, where all the Lords of the Council seal'd and subscribed the general Articles of the Marriage, &c.*

A. But I account you are not ignorant how much it hath been observ'd that Mr. Prynne, who was so voluminous a Writer, did too much take his *Quotations* on trust; and that therefore what he had as out of the *Mercure Francois* might not be rightly cited.

B. Admitting that Mr. Prynne being so infinite in his *Quotations* might often erre that way, I shall tell you, that I engaging a Learned Man of the *University of Oxford* to consult Mr. Prynne's *Quotations* out of the *Mercure* (of which the *Tomes* are in the *Bodleian Library*) he return'd me word, that they exactly agreed with the *Author* in the places cited by Mr. Prynne.

A. But one would scarce think that Archbishop Abbot should swear to these *private Articles*; for there went about a *Letter* of his in that *Conjuncture*, by the warm name of his *Remonstrance to His Majesty* against the *Match*, and the *toleration* of the Roman-Catholicks.

B. I grant that there did: and Mr. Prynne in p. 39. and 40. sets down the *Letter*; and he calls it *A Remonstrance*: and the Archbishop is there brought in, saying thus, *viz. This Toleration which you endeavour to set up by your Proclamation, cannot be done without an Act of Parliament, &c.* But Heylin in his *History of the Presbyterians*, represents this as a Sham-Letter, and put upon the Archbishop: and saith, that the Archbishop could not be so ill a Statesman (having been long a Privy Councillor) as not to know that he who sits at Helm, must steer his Course according to Wind and Weather, and that there was a great difference between such Personal Indulgences as the King had granted in the Case to his Popish Subjects, and any such Publick exercise of their Superstitions as the word *Toleration* doth import. And so he giveth Judgment, that Abbot was only the reputed Author of this Bastard Letter, and not the natural Parent of it.

In the various Editions of this *Letter*, I have observ'd no date to it: and it is in that Book of Mr. Prynne before his mention of the *general or private Articles*, and before the *Match* was resolv'd on by the King. And if notwithstanding that *Letter*, the Archbishop was afterward Sworn to the *Articles*, his altering his judgment on grounds of Reason, was both commendable, and exemplary: and worthy of that mutual Confidence between the King and him and the other *Bishops* in the *Council*, and his Privy Council in general; and which was such, that in a lawful Matter the King could stipulate for their Obedience in the first *private Article* as was before mention'd.

A. Your having shew'd me out of the Copy of the Publick Instruments found by Mr. Prynne among my Lord Cottington's Papers, what concerns the *Toleration*, hath given me much satisfaction in the truth of that Fact. For otherwise what a late Book writ for *The King's Right in dispensing with the Penal Laws* directed me to in Rushworth of *The Declaration touching the Pardons, Suspensions, and Dispensations of the Roman-Catholicks*, sign'd by the Lord Conway and others, Aug. the 7th. A. 1623. would have left the Matter to me full of doubt and mystery.

But

B. But I see by those *Copies* of *Articles* found among the Papers of my Lord Cottington, the *Toleration* of *Papists* had been *revera* about a Fortnight before the date of that Paper sworn to by all the Privy Councillors of King James. And tho King Charles the First did fall as a *Martyr* for the Protestant Religion, and was a *Confessor* of it in Spain, as Archbishop Laud sets forth in his *Star-Chamber* Speech, and as likewise the *Earl* of Bristol shews in his Learned and Loyal *Apology*, Printed, A. 1657. (which if you have not read, is highly worth your most serious perusal; and where having spoke of the Papal *Dispensation* for the *Marriage* on the *Articles* formerly agreed on in point of Religion, and of the *Civil Letters* that passed between that King, then *Prince*, and the *Pope*, he said that those Letters were Publish'd and Translated into several Languages (referring there, I suppose, to the *Mercur* *Francois*) which tho he could not say corruptly, yet strained as much as might be to his disadvantage, and that it is probable that the like Letters of Compliance may have been procured in the Treaty of the Match with France, wherein the *Pope's* Dispensation was likewise held necessary) yet I shall tell you, that Mr. Prynne in p. 46, 47. after he had mention'd the Oath taken by the Privy Councillors, saith, His Majesty call'd an Assembly of Divines to Consult with, what he ought to do for the discharge of his Conscience in this regard, and their Resolution was first that the Prince of Wales should promise on his Oath to perform the Conditions, and that the King his Father should do the like: Secondly, That the Promises of Marriage should be presently made, &c. but that the Consummation of the Marriage should not at all be executed till the Month of May in the following year 1624. to the end that they might experimentally see if the aforesaid Conditions required by his Holiness should be faithfully accomplish'd, &c. As to the first, the Prince of Wales took an Oath to His Majesty to observe the foresaid Conditions, and sign'd them with his Hand, and he likewise swore and sign'd this by way of Over-plus, to permit at all times, that Any should freely propose to him the Arguments of the Catholick-Religion without giving any impediment, and that he would never directly nor indirectly permit any to speak to the Infanta against the same.

But I shall here *en passant* observe to you out of the general Articles, namely that in the 16th Article (notwithstanding my Lord Coke's Opinion before-mention'd, that a new Oath cannot be introduced nor an old one alter'd but by Act of Parliament) there is a new Oath of fealty agreed to by the King to be tender'd both to *Foreigners* and *Subjects* of England who were to serve the Infanta, and care taken that no Clause or word therein shall contradict the Roman Religion, or Consciences of the Roman Catholicks: and that by the 24th Article for the Security that every thing that was agreed to, should be fulfill'd, the King and Prince were to be bound by Oath, that all the Privy Councillors should sign the Agreement, And I need not tell you that their being sworn to the private Articles was a new Oath.

A. Was nothing of the King's mind about the Suspending ALL the Penal Laws, both the disabling ones and others against the Papists, notify'd to his Privy Council before the year 1623?

B. Mr. Prynne there in p. 30. saith, that for the hastening the Pope's Dispensation for the Match, King James (as the French *Mercur*, Tom. 9. records it, and as he had CREDIBLY been inform'd of from others) assembling his Privy Council together, Febr. 25. 1622. made a long Oration to them (which he recites at large) the sum whereof was this, That the Roman-Catholicks in England had sustain'd great and intolerable surcharges imposed on their Goods, Bodies, Consciences during Queen Elizabeth's Reign, of which

they hoped to be relieved in his, &c. That now he had maturely consider'd the Penury and Calamities of the Roman-Catholicks who were in the number of his faithful Subjects, and was resolv'd to relieve them, and therefore did from thenceforth take all his Roman-Catholick Subjects into his Protection, permitting them the Liberty and entire Exercise of their Religion, &c. without any Inquisition, Process, or Molestation from that day forward; and likewise will and ordain, that they shall be restored to all their Estates, Lands, Fees and Seignories, and re-establish'd in them: Commanding all his Magistrates, Justices, and other Officers whatsoever in this behalf to hold their hands, and for what Cause soever it be, not to attempt hereafter to grieve or molest the said Catholicks, neither in publick nor private in the liberty of the exercise of their Religion, upon pain of being reputed Guilty of High Treason, and Disturbers of the Kingdoms peace and repose: this being his will and definitive Sentence.

A. But still I cannot forbear wondring about what Considerations made our Divines, and our Great Champions of the Church of England-Protestancy in the State as well as Church, afterward thus inclinable to act their Parts about Toleration, as Mr. Prynne hath mention'd.

B. They had cause enough to apprehend that the *Hierarchy* of England could not be supported without the *Monarchy*, and that by reason of the various growth of the Potency of foreign Princes and States, and of intestine Factions, the *Monarchy* could not be then sufficiently secure without a foreign Alliance by inter-marriage; and that where such Alliance was to be with the Families of Roman-Catholick Princes, there could be no expectation of the Pope's relaxing his Laws by dispensing, without our Princes doing something of that kind as to theirs.

I might here observe to you, that we are told in *The Regal Apology* (that the *Oxford-Antiquities* mention'd to have been writ by Dr. Bate) that *A particular Toleration had a former President even in Queen Elizabeth in those Articles of Marriage which were consented to with the Duke of Anjou: and if it were true that an Universal Toleration was agreed on by King James, it was intuitu majoris boni. The Palatinate was to be restored again, and the Protestants of Germany to be re-enslated in their Possessions on that Condition.*

But to punish being a kind of Punishment, and it being irreligious to punish Men for Religion, and the highest tide of Anger being naturally succeeded by the lowest ebbe of it, and the thoughts of rigorous Severity in Princes toward their Subjects being like such in the Head toward the Members of the same Body, and King James having found that the general abhorrence of the *Gun-Powder-Treason* had blown up the credit of those fiery Doctrines that produced it, and he being then within Prospect of his end and being unwilling that the Sun of his Life should go down in his wrath, and finding, as appears by his long Proclamation of four sheets of Paper, declaring his Pleasure concerning the Dissolving of the Parliament, A. 1621. that they were not the Papists who made his later breath so uneasy to him, and he being of opinion that the reason of the severe Laws was much abated, it may abate of our wonder that in that Conjunction he put a Period to their Execution.

Mr. Prynne for this purpose in p. 14. of that Book Prints a Letter of the Lord Keeper Williams to the Judges in the year following, to acquaint them that His Majesty having resolv'd (out of deep Reasons of State, and in expectation of like Correspondence from foreign Princes to the Professors of our Religion) to grant some Grace and Conveniency to the imprison'd Papists of this Kingdom; had Commanded him to pass some Writs under the Broad Seal
for

for that purpose, and that he had accordingly done so; and tells them, that 'tis His Majesty's Pleasure that they shall make no niceness or difficulty to extend that his Princely favour to all Papists imprison'd for any Church Recusancy whatsoever, or refusing the Oath of Supremacy, or bearing of Mass, or any other point of Recusancy which doth touch or concern Religion only, and not matters of State, which shall appear to you to be totally Civil and Political.

A. You lately mention'd to me that the *Earl of Bristol* hinted it that there was afterward somewhat of Compliance with the *Pope* in the Match with *France* of that nature, as was in the *Spanish*. What account doth Mr. *Prynne* give of that?

B. He tells you there, p. 69. that the *French Match* was soon Concluded in the life of King *James*, the Articles concerning Religion being the same almost Verbatim with those formerly agreed on in the *Spanish Treaty*. And he there refers to Rot. Tractationis & Ratificationis Matrimonii inter Dom. Carolum Regem & Dom. Henret. Mariam Sororem Regis Franc. 1^o Car. in the *Rolls*: and then in p. 71. saith, Besides these general Articles of the Match, these particular ones were concluded and agreed on in favour of the *Roman-Catholicks*, the same in Substance with those of *Spain*, and where he saith the Second is to this effect, that the *English Catholicks* should be no more searched after (or molested) for their Religion.

But Mr. *Prynne* there particularly sets down only three short Articles, and those comprised in about six lines: and the words [or molested] in the second Article are Printed in a different Character from the others, as if he thereby intended them as his own Explication of the word searched.

A. You just now mention'd King *James* his having in the year 1622. order'd all the *Popish Recusants* who were in Prison on the account of their Religion to be set at liberty: and you told me how he tacitly dispens'd with the Disability that *Popish Physicians* and *Lawyers* had incurr'd by Act of Parliament. Was that all the favour he shew'd *Roman-Catholicks*?

B. No: He allow'd them to make a very Considerable figure in the Government, as you may find if you consult the *Journals of Parliament*, as referr'd to by Mr. *Prynne*, p. 66. & Seq. of that Book. For he there mentions, that in the year 1624. The Commons sent a Petition to the Lords, desiring their Concurrence with them in presenting it to His Majesty, for removing *Popish Recusants*, and those whose Wives were *Papists*, from Offices of Trust, which by Law they were DISABLED to execute, which the Lords took into their Consideration, and which Mr. *Prynne* saith, was enter'd in their Journal in this manner, Die Jovis viz. Vicesimo die Maii 1624. The Lord Archbishop of Canterbury reported, that at the meeting this Day with the Commons, they Presented an humble Petition to the King, desiring this House to joyn therein with them. The which Petition was read in hæc verba, &c.

In short, the Commons in their Petition take notice of the Growth of the Number of *Popish Recusants* in this Kingdom, and of their insolency in all the Parts thereof, and that many of them, contrary to the Laws, were got into Offices and Places of Government and Authority under the King: And the Prayer of the Petition is, That the Lords and Gentlemen there under-named, may be removed from all His Majesty's Commissions of great Charge and Trust, Commissions of Lieutenancy, Oyer and Terminer, and of the Peace, and from all other Offices and Places of Trust. And they in their first Schedule there name 11 Lords and 18 Knights.

And

And in their *second* they name many *Persons of Quality* who were in *Places of Charge and Trust* in their several *Counties*, and had marry'd *Popish Wives*, and whose *Children and Servants* were bred up to *Popery*.

A. Doth any *Act of Parliament* disable a man from bearing *Office* because his *Wife* is a *Papist*, or because his *Children or Servants* are bred up to be *Papists*?

B. Yes, the *Act* of the *Third of King James the First*, *cap. 5.* doth it, as you will see if you consult it; for 'tis there *Enacted*, That no *Popish Recusant Convict*, nor any having a *Wife* being a *Popish Recusant Convict*, shall at any time after this *Session of Parliament*, or any *Popish Recusant* hereafter to be *Convict*, or having a *Wife* which hereafter shall be a *Recusant Convict*, at any time after his or her *Conviction*, shall exercise any publick *Office or Charge* in the *Common-wealth*, but shall be utterly **DISABLED** to exercise the same by himself or his *Deputy*, except such *Husband* himself and his *Children* which shall be above the age of *Nine years* abiding with him, and his *Servants* in *Household* shall once every *Month* in the least, repair to some *Church* usual for *Divine Service*, and there hear *Divine Service*, and the said *Husband*, and such his *Children and Servants* as are of meet *Age* receive the *Sacrament of the Lord's Supper*, and do bring up his said *Children* in true *Religion*.

A. Now have you set me a longing to know what the *House of Lords* did in the *Case* of that *Petition* about removing those disabled *Persons* from serving the *King* in those great *Stations*. And since the *Judgment of Parliament* was always had in such great *veneration*, I think if the result of the desire of the *House of Commons* was that the *Lords* had joyn'd with them in the *Petition*, and had urged that the *King* could not dispense with that *Act of Parliament* and *Pardon Disability*, it may make a notable *Precedent* in the *Case* we have been discussing.

B. You will find that the *Commons* urged nothing to the prejudice of *Prerogative* in the *Prayer* of their *Petition*. Their *style* there was, *We humbly beseech your Majesty graciously to vouchsafe that the said Lords and Gentlemen here under-named for this important Reason, and for the greater Safety of your Majesty and of your Realm, may be removed from all your Majesty's Commissions of great Charge and Trust, Commissions of Lieutenantcy, &c.* And the important reason did refer to the great *Countenance* hereby given to *Popery*, the great grief and offence to all his best affected and true loving *Subjects* by putting the *Power of Arms* into such mens hands as by former *Acts of His Majesty's Council* are adjudged *Persons* justly to be suspected, &c.

But to let you see what the *House of Lords* did hereupon, *Mr. Prynne* tells you, *p. 69.* That this *Petition* being read, the *House* did defer the *Debate* thereof at this time, for that the day was far spent. And answer was given to the *Commons* (who attended for the same in the *Painted Chamber*) that the *Lords* will send them an *Answer* of this *Petition*, hereafter when they are resolv'd thereof. Whereupon *Mr. Prynne* concludes his account of this *Transaction* thus, *Whether any of these were displaced upon this Petition, I find not in any Memorials; it being certain some of them were not, but continued still in these Offices of Trust.*

A. How have you here disappointed my *Curiosity* in making that ferment then in the *Government* about the *Disability* of the *Papists* being dispens'd with, thus silently to go off through the *House of Lords* forbearing to joyn with the *House of Commons* in their *Petition*!

B. I shall here afford your *Curiosity* a recompence by observing it to you with allusion to some of the words of the Royal *Martyr* in his *Answer* to the 19 *Propositions*, *That the ancient, equal, happy, well poyed, and never enough commended Constitution of the Government of this Kingdom having made this Nation so famous and happy to a great degree of Envy, &c. and the Lords being trusted with a Judicatory Power are an excellent Screen and Bank between the Prince and the People, to assist each against any Encroachment of the other, &c.* that the Wisdom of that House in acting as it hath done, in many *Conjunctures* hath put an end to many ferments accidentally occasion'd by others mistakes about *Prerogative*, and whereby that august Assembly did sometimes *Cunctando restituere rem*, and by its forbearing out of *tenderness* for *Prerogative* to give judgment about it, hath often to the Satisfaction both of the *Prince* and *People*, left the *Regal Rights* in their ancient quiet Estate.

I shall for this purpose observe to you, that I once reading to the late *Earl of Arglesey* when he was *Lord Privy Seal*, what I had in a *Manuscript* of mine set down, as the *Fact* of what had passed between the late *King* and the *House of Commons* concerning his *Declaration of Indulgence* on *March* the 15th, 1671. and the *Penal Laws* being thereby *suspended* (and the *suspension* of which the *Commons* then urged could not be but by *Act of Parliament*, and whereupon they apply'd to the *King* for the *Vacating* that *Declaration*) his Lordship did dictate to me in order to my Compleating the state of that *Fact*, and which I writ from his Mouth, as followeth, *viz.* But it is to be observ'd upon this whole Transaction between the *King* and the *House of Commons*, that the *Lords* had no hand in the *Address* to the *King* about this great Point; altho it be uncontroverted that the *Lords* are the only *Judicatory* that can determine any controverted Point without an *Act of Parliament*, and either the *King* or the *Commons* might in a particular Case have had this Point brought by *Appeal* to the *Lords*, if they had pleas'd, and consequently might have effected the judicial decision of the same.

A. In your *State* of that part of the *Fact* that concern'd the *Commons*, did they *Address* against the *Dispensing* with *Acts of Parliament*?

B. No, but only against the *Suspending* them, which are things of a different Nature. The same *House of Commons* by having *July* the 10th, 1663. resolved, *That His Majesty be humbly desired to issue forth his Proclamation for the punctual and effectual Execution and Observance of the Act of Navigation without any Dispensation whatsoever, whereby the Act may be in the least violated, and to recal such Dispensations as are already granted, &c.* did virtually shew a Deference to His Majesty's right of *Dispensing*. Nay, let me tell you, that the very many *Acts of Parliaments* which expressly provide against the Crown's *dispensing* by *Non-obstante* in some particular Cases, may all be cited as *Presidents* or *Judgments* of *Parliaments* for the propping up the *Dispensative Power*, and of *Parliaments* having admitted that *Power* in our *Kings*, the exercise of which they provide against and desire to take away in such particular Cases.

But by referring to the *Fact* of the intercourse between the late *King* and the *House of Commons* about the *suspending* the *Penal Laws*, I have took occasion to point out to you the *Wisdom* of the *Government* in then passing that affair over without a *judicial* decision. And I can give you an instance of the *Prudential* measures formerly observ'd by Persons who made a great figure in the Administration of the *Ecclesiastical Government* of the *Church of England*, and who at the *Consecration* of Bishop *Manwaring* when on the usual Process at *Consecrations* to call all Persons to appear to shew cause why the *Elect* should not be *Confirm'd*, some then appear'd & objected against

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him, that upon his being *Impeached* 3^o Car. 1. by the *Commons*, the *Lords* had given *Judgment* against him to *disable* him from all *Preferment* in the *Church*; forbore to consider the *merits* of the *Exception*, and throwing them off by a *Pretence* of their being *defective* in some *Formalities* of Law, went on in the *Confirmation*.

And which is more, I can tell you that long afterward, *viz.* A. 1640. the *Lords* highly resenting both the *Pardon* and *Bishoprick* he had obtain'd, and calling to mind the *Sentence* they had pronounced against him, did on the 18th of *April* that year, refer the *Consideration* thereof to their *Grand Committee* for *Privileges*, it being also moved, that what can be alledged on the *Lord Bishop* of *St. David's* part, either by *Pardon*, *Licence* or otherwise, may be produced and seen at the *Sitting* of the *Lords Committees* for their full and clear understanding, and better expedition in the business: and on the 21st of *April* that year, order'd, that on the following *Monday*, the *Records* be brought into the *House*, that the *House* might determine the *Cause*, and on the 27th of *April* following, order'd the *Cause* to be heard the next day, and upon which day some such fatal *Sentence* being expected against the *Bishop*, as, *And his Bishoprick let another man take*, by reason of his having been *judicially* disabled; His Majesty commanded that *Bishop* not to Sit in *Parliament*, nor send any *Proxy* thither: and the ferment of the debate went off without any *Judgment* given by the *Lords* that might touch *Prerogative* in the Point.

And if in the year 1640. when the air of mens fancies was so much infected with the *Pestilence* of *Faction*, so much *tenderness* was shewn to *Prerogative* (and that too in the Case of a *Criminal* whom the *Commons* had for so many years made the great object of their anger, as one whom they look'd on as a *Proditor* or *Betrayer* of his Country, and *Betrayer* of their *Properties*) the Loyal may well say *quid non speremus*, as to any future ferment that can rise in *Parliament*, being allay'd without *Prejudice* to the Crown.

The *Journals* of *Parliament* in the Beginning of the Reign of King *Charles* the First do tell us of the great ferment about the *Pardon* of *Bishop Montague*, whom the *Commons* had *impeach'd* before the *Lords*, and who after the *Parliament* was *Prorogued* to the 4th year of the reign of that Prince, had obtain'd his *Pardon* in the time of the *Prorogation*, and that such *Pardon* was by the *Commons* *question'd*, and that such questioning soon evaporated.

But according to that Great Saying of Sir *Harry Martin* in his *Speech* at a *Conference* between both Houses (as you will find it in *Rushworth*) after he had mention'd the inconvenience of nice debates about the *Original*, *Latitude* and *Bounds* of *Sovereign Power*, *viz.* *I have ever been of opinion that it is then best with Sovereign Power when it is had in tacit veneration, and not when it is prophaned by Publick Hearings and Examinations*, you will find that it hath been the usual Practice of our great Loyal Patriots, in many *Critical* *Conjunctures* of time to prevent the popular *Criticising* on *Controverted* Points of *Prerogative*, and to provide for the ease both of Prince and People by giving no other rule in the Cause then the putting it off in *longissimum diem*.

A. I suppose that excellent Political remark of Sir *Harry Martin's* was so made by him in the *Conjuncture* of the *Petition* of *Right*. I have read of the great ferment the *Petition* of *Right* made in the beginning of the Reign of the *Royal Martyr*: and I shall be glad to know if the *dispensing* with the *Penal Laws*, and particularly such as are inclusive of *disability* made any part of the fermentation.

B. No

B. No doubt if the *Dispensative* Power of the Crown as to any *Penal* religious Laws, had then appear'd any considerable *gravamen* to any of the *three* Estates, they would then have cry'd out of it: But which they did not. Yet I shall tell you that they had a fair occasion then given them to do it if they had thought it *tanti*. For in the *first* year of his Reign there was a *ferment* in *Parliament* about the *Penal* Laws against the *Papists*, and particularly the *disabling* ones, but which soon went off (as I may say) by *insensible* Perspiration.

It seems that Mr. Prynne in p. 74. and 77. saith both Houses that year having presented a *Petition* to that Prince wherein they took notice that his Majesty had in his *Princely Wisdom* taken order that none of his natural born Subjects not professing the true Religion and by Law establish'd, shall be admitted into the Service of his Royal Consort, and having further desired that his Majesty would be pleas'd to remove from all Places of Authority all such Persons, as are either *Popish Recusants*, or according to direction of former Acts of State to be justly suspected, and that his Majesty said he would give order for it, yet that that *Parliament* being unhappily dissolv'd in discontent, his Majesty thought not fit to shew such severity to *Recusants* as he intended. And in p. 76. Mr. Prynne had mentioned that Sir John Winter, Mr. Walter Mountague, Sir Maurice Drummond, and other *Papists*, were admitted in her Majesty's Service. But by what appears from Mr. Prynne in p. 80. in the following *Parliament* in the *Second* year of that King, the House of Commons took divers *Examinations* concerning *Recusants* that were in Office, and at last agreed on a *Petition* against *Recusants* in Office, and to present their Names therewith to the King to the end they might be removed: and He then saith, that *Martis 6. Junii 2. Car. Regis*. The *Petition* against *Recusants* in Authority was engrossed, read and allow'd to be presented to his Majesty, and this to be done by the *Privy-Council* of the House, and Sir John Fullerton, which was done accordingly: but with what real success, I can give no exact account.

But that the *disabling* and other Laws against the *Papists* had been dispens'd with by the Royal Martyr as well as his Father, any one will conclude who reads what there followeth, viz. In this *Parliament* these ensuing Articles against *Popish Recusants* were Consulted of in the House of Commons, with an Intent to draw them into an Act; and of which the 9th is, No *Recusant* to bear Office of Justice of Peace or otherwise, or any man whose Wife shall be a *Recusant*, or practice Law, Common, or Civil, or Physick, nor have Command in War, &c. And I should first have told you that the Third was, A New Oath with more Additions to be taken concerning the Supremacy.

A. Good God! A new Oath with more Additions about the Supremacy!

B. You may suppose it would have been seemingly a New Oath by that *Parliament's* approving all the Authentick Regal Interpretations of the old one, as Queen Elizabeth's Interpretation was approved by her *Parliament*.

But you may here observe, that tho the *Disabling* and other *Penal* Laws were by this Pious Prince tacitly and often dispens'd with, and the time of the doing of it caus'd some temporary *ferments* to arise in the Minds of his Subjects in *Parliament*, yet their animosities have soon tacitly evaporated, and the Regal Power of Dispensing then came to no question. The Puritan Dissenters and scruplers of Ceremonies, knew they wanted the benefit of that Power as well as the *Papists*: and the exercise of that Power was in the *Petition* of both Houses before mention'd implored as to the disabled or silenced Ministers. And therefore you will not wonder at it when I tell you that

that during all the great Patriotly efforts that were made for the removing all Grievances by the *Petition of Right*, there was no offence taken at the Right of the *Dispensative Power*.

A. I thank you for that observation.

B. The thought is too obvious to deserve thanks: and I assure you it is a kind of *Proverbial Saying* in the *Canon Law*, that *Dispensationum modus nulli Sapientum displicuit*.

But even in the *Conjuncture* of the *Petition of Right*, to shew you that the *Dispensative Power* did not in the least contribute to the ferment, I shall let you see out of *Rushworth* how Mr. *Glanville* (who made so great a figure of a Patriot then in *Parliament*) did with the greatest popular applause appear as an *Affirmer* of that Power, and when in his *Speech* in a full *Committee* of both *Houses* (May 23. A. 1628.) he *inter alia* said, *There is a Trust inseparably reposed in the Persons of the Kings of England; but that Trust is regulated by Law: For example, when Statutes are made to Prohibit things not mala in se, but only mala quia Prohibita, under certain Forfeitures and Penalties to accrue to the King and to the Informers that shall sue for the breach of them, the Commons must and ever will acknowledge a Regal and Sovereign Prerogative in the King touching such Statutes, that it is in his Majesty's absolute and undoubted Power to grant Dispensations to particular Persons, with the Clauses of Non-obstante to do as they might have done before those Statutes, wherein his Majesty conferring Grace and Favour upon some, doth not do wrong to others. But there is a difference between those Statutes and the Laws and Statutes whereon the Petition is grounded. By those Statutes the Subject hath no interest in the Penalties which are all the fruit such Statutes can produce, until by Suite or Information he become entituled to the particular Forfeitures; whereas the Laws and Statutes mention'd in our Petition are of another Nature. There shall your Lordships find us to rely upon the good old Statute called Magna Charta, which declareth and confirmeth the ancient Common Laws of the Liberties of England: and there he speaks afterward of other Statute Laws not inflicting Penalties upon Offenders in malis prohibitis, but Laws declarative or positive, conferring or confirming ipso facto an inherent Right and Interest of liberty and freedom in the Subjects of this Realm, as their Birth-rights and Inheritances descendable to their Heirs and Posterities, the Statutes incorporate into the Body of the Common Law, over which (with reverence be it spoken) there is no Trust reposed in the King's Sovereign Power or Prerogative Royal to enable him to dispense with them, or to take from his Subjects the Birthright which they have in their Liberties, by virtue of the Common Law.*

So then according to the sense of this loyal Patriot, if the King shall by his Prerogative dispense with the *Disabilities* or *Premunires* or other Penalties incurr'd by *Popish Recusants* pursuant to any Statutes; as for example, those of *Queen Elizabeth* or *King James*, and even that of 3^o Jac. c. 5. whereby *Convicted Recusants* are disabled from *Military Offices*, and *Offices in the Navy*, and in the *Law*, and from the *Practice of Physick*, and any publick Office and Charge in the *Commonwealth*, or the *Test-Act* 25^o Car. 2. No question is to be made of the King's absolute and undoubted Power of dispensing with particular persons in such a Case.

And during the ferment about the *Laws and Statutes* whereon the *Petition of Right* was founded (and which were of another Nature, as Mr. *Glanville's* words are) you will not forget that there was a tenderness for *Prerogative* avow'd by both *Houses*, while you remember those words of the *Royal Martyr* in his *Speech* at the *Prorogation* of the *Parliament* the 20th of *October*, A. 1628. viz. *That the Profession of both Houses at the time of hammering*

mering the *Petition of Right* was no way to entrench upon his *Prerogative*; and their saying that they had neither intention nor power to hurt it, &c.

You may too call to mind that as during the ferment that the suspending the *Penal Laws* by His late Majesty's *Declaration of Indulgence*, his Power of *Dispensing* in them came not in question, so the heat about his *Prerogative* to *SUSPEND* them was soon over.

The *Opinion* of that loyal Patriot and learned and upright *Justitiary* Sir William Ellis deliver'd in his *Argument* about *Thomas and Sorrell's Case* I told you of namely that the King may *SUSPEND* an *Act of Parliament* till next Session (which was a flight beyond what was moved for or adjudged in the late Case of *Giddens and Hales*) did never meet with any angry reflection (that I have heard of) from any Person either of the People *diffusive* or *representative*, tho yet that *Argument* of his containing such *Opinion* was both after the *Votes* of the *House of Commons* about the *illegality* of the suspending of *Penal Laws* in Matters *Ecclesiastical* otherwise then by *Act of Parliament*, and after the *Act* for the *Test*.

And how near the *Prerogative* of *Dispensing* as allow'd by my Lord Chief Justice Vaughan in his *Argument* in *Thomas and Sorrell's Case*, (and who argued after Sir W. Ellis) came up to *SUSPENDING*, you may see there by what he saith, p. 347. *Where the King can dispense with particular Persons, he is not confined to number or place, but may License, as many, and in such Places as he thinks fit.*

But further to shew you to how quiet and temperate a State that ferment of the Prince's suspending all the *Religionary Penal Laws* without an *Act of Parliament* was grown, I shall let you see that several years after the late King's *Declaration of Indulgence* and the *Act* for the *Test*, the late *Earl of Shaftsbury* appear'd in *Print* as owning the *legality* of the King's *Prerogative* in that kind, and without his Lordship's being in the least censured for it by any of that numerous Party he was then the Head of.

And here I am to tell you, that in a Book call'd *A Letter from a Person of Quality to his Friend in the Country*, Printed in the year 1675. the *Earl of Shaftsbury* is by Mr. Marvell the supposed *Author* of the Book, introduced as owning that the *Power of the King's Supremacy* (meaning in Matters *Ecclesiastical*) was of another Nature then that he had in *Civils*, and had been exercised without exception in this very Case (*i. e.* as in the *Declaration of Indulgence*) by his Father, Grandfather, and Queen Elizabeth, under the Great Seal to foreign Protestants become *Subjects of England*, &c.

A. Did the *Earl of Shaftsbury* then in the year 1675. own the *Prerogative* of suspending *Penal Laws* in Matters *Ecclesiastical* when the King had long before quitted it, and when his Lordship was Embarked with those Men to whom nothing could once seem more unpopular then the owning of any such *Prerogative*?

B. I refer you to the Book it self, and where you will see that that Great Statesman did then assert the extent of *Prerogative* in that Point, with as much strength of *Wit* and *Reason*, as if he had been then sitting at the *Helm of State*: and where he further shews the *Necessity* of a standing *Supreme executive Power* to mitigate or wholly to *SUSPEND* the execution of any *Penal Laws*, &c. But I shall best entertain you with his Lordship's own words as so great a *Narrator* as Mr. Marvell relates them, and who (as he saith) telling his Lordship that the *Declaration of Indulgence* assumed a Power to repeal and *SUSPEND* all our Laws, his Lordship replied, that he wonder'd at his *Objection*, there being not one of these in the Case. For the King assumed no Power of repealing Laws, or suspending them contrary to the will of his *Parliament*, or *People*; and not to argue with me at that time the Power of

the King's Supremacy, which was of another Nature then that he had in Civils, and had been exercised without exception in this very Case by his Father, Grandfather, and Queen Elizabeth, under the Great Seal to foreign Protestants become Subjects of England, nor to instance in the SUSPENDING the execution of the two Acts of Navigation, and Trade during both this and the last Dutch War, in the same words and upon the same necessity, and as yet without clamour that ever we heard. But to pass by all that, this is certain, a Government could not be supposed whether Monarchical, or other of any sort, without a standing Supreme executive Power fully enabled to mitigate, or WHOLLY to SUSPEND the execution of any Penal Law in the intervals of the Legislative Power: which when assembled there was no doubt, but wherever there lies a Negative in passing of a Law, there the Address or sense known of either of them to the Contrary (as for instance of either of our two Houses of Parliament in England) ought to determine that Indulgence, and restore the Law to its full execution. For without this the Laws were to no purpose made, if the Prince could annul them at pleasure, and so on the other hand without a Power always in being of dispensing on occasion, was to suppose a Constitution extremely imperfect, and impracticable, and to Cure those with a Legislative Power always in being, is when consider'd no other then a perfect Tyranny.

A. I find that his Lordship doth not in the least distinguish between the Right of Prerogative in suspending the Disabling or incapacitating Penal Laws, and others. And he by giving the Power of suspending all the Penal Laws to the Prince during the Intervals of Parliament, and till an Address should be thence made to the Prince to revoke such suspension, hath given his Prince this Power in effect during life. For 'tis obvious to consider by how many accidents a suspension of Penal Laws revocable on an Address from the Parliament, may happen to be not so revoked.

B. You say right. The King may thus according to his Lordship's Opinion suspend all Penal Disabilities as well as other Penalties incurr'd by Acts of Parliament, and particularly by the Test-Act of 25^o Car. 2. and hereby to the Great figure he made in the framing of that Act, any who are displeas'd with the Act, may apply the *Una eademque manus*, &c.

A. But I suppose his Lordship there has nothing that may favour the repealing of the Test, or any of the Penal Laws against the Papists.

B. None would expect from him any thing to be moved for the repealing of the Test; however he allow'd Prerogative to suspend it. But at that time that all People of narrow Souls and ignoble Thoughts were with so much clamour hunting down all Roman-Catholicks without distinction, and when the most devout among them by being (as it were) *ad bestias damnati* and devoured by Informers, appear'd as a spectacle of delight to many inhumane Protestants, his Lordship's humanity was so great as to incline him in p. 6. there to give them somewhat like a *Quietus* from all Pecuniary Laws. And the truth is when I consider how little Wool the fleecing of Roman Catholicks and Quakers or any Heterodox Religionaries at home or abroad hath brought to the Exchequer of any Prince or State, and only to Informers, and that the Consciences of peaceable Men have been burden'd by Men of no Conscience, and by the *turba gravis paci* who are indeed burthens of the Earth, I tremble to think what occasion may have been taken by Male-contents to say in their Hearts as to any such Prince or State, according to those words of the Psalmist, *Thou sellest thy People for nought, and dost not encrease thy Wealth by their Price, or and takest no Money for them.* I shall at some other time of our meeting give you some account out of the Records of the Exchequer of the inconsiderable Sums of Money, that

that have for several years been brought to it by the severe Prosecutions of *Roman-Catholicks* and *Quakers*.

But there is another thing very well worth your reading in that *Book*, and which is the more proper for our Consideration as suiting some great Points we have been discoursing that concern our Oath, and that is this; His late Majesty's *Ministers* in that year 1675. having brought in a *Bill* in Parliament for a *TEST* extending to *Protestants* (and which as the *Book* saith, was call'd by one of His Majesty's *Ministers*, *A moderate Security to the Church and Crown*) you will there in p. 15. see it mentioned how as to the *Affertory* Parts of the Oath in that *Test*, *It was worthy the Consideration of the Bishops whether Affertory Oaths which were properly appointed to give Testimony of a Matter of Fact whereof a man is capable to be fully assured by the evidence of his Senses be lawfully to be made use of to confirm or invalidate Doctrinal Propositions, and whether that Legislative Power which imposeth such an Oath, doth not necessarily assume to it self an Infallibility?* And as for *promissory* Oaths, it was desired that those learned *Prelates* would consider the *Opinion* of *Grotius De Jure Belli & Pacis*, l. 2. c. 13. who seems to make it plain that those kind of Oaths are forbidden by our Saviour Christ, *Matth. 5. 34, 37.* and whether it would not become the *Fathers* of the Church when they have well weigh'd that and other places of the *New Testament*, to be more tender in multiplying Oaths then hitherto the great Men of the Church have been? It is there toward the end of the page mentioned how some of the *Lords* desired that it might be clearly known whether it were meant all for an Oath, or some of it a Declaration, and some an Oath? If the latter, then it was desired it might be distinctly parted, and that the declaratory part should be subscribed by it self and not sworn. There was no small pains taken by the *Lord Keeper* and the *Bishops* to prove that it was brought in; the two first Parts were only a Declaration, and not an Oath: and tho it was reply'd, that to declare upon ones Oath, or to abhor upon ones Oath, is the same thing with, *I do Swear*, yet there was some difficulty to obtain the dividing of them, and that the declaratory part should be only Subscribed, and the rest sworn to.

A. But have you mention'd these things, as if you would incline me to concur in opinion with that *Lord* as to the King's Power of suspending the Penalties incurr'd by *Acts of Parliament*, and to agree with the Measures of some other *Lords* then about Oaths *assertory* and *promissory*, as refer'd to?

B. If I were of the same opinion about the King's Power in that Matter, as that *Lord* and *Sir William Ellis* were, I would however forbear troubling you with it at this time while we are considering the *Obligation* of our Oath of *Supremacy* in order to our assistance and defence of the Preheminence of the *Dispensative* Power. And therefore I shall not in the least endeavour to incline you now to imbibe the persuasion of any nice *Controverted* point of *Law* or *Theology*, and wherein there seems *probab lis causa litigandi*. And if when we are parted, you on your recollection of our Discourse at this or our first meeting, should have the least trouble by calling to mind any thing I have occasionally mention'd that is matter of *Controversie*, you may with all my heart put it off with a temporary transeat from your thoughts.

But one of my aims in referring to that *Opinion* of his *Lordship* was, That knowing you to be much concern'd for the ease and quiet of your *Prince* and *Country*, I might Console you with an Instance of a great ferment about the *Regal* Power, suddenly going off: and as that *Book* too shew'd you that another did in the Government that was occasion'd by the new *Test-Bill* then introduced.

And

And I must tell you that *another* of my *aims* in my pointing you to his Lordship's Observation of the *Suspensions* of the *Penal Statutes* in the late *Reigns*, was occasionally to direct you to a *tenderness* for the *Regal Rights* in general, and for the *undoubted Right* of the *Dispensative Power* in Particular. The same thing likewise hath been my *aim* in the several *Presidents* I have given you of the *Ecclesiastical Power* by *Queen Elizabeth*, *King James*, and *King Charles the First* exercised in *suspending Penal Laws*.

The expression of *tenderness* for the *Rights* of our *Princes* hath been much *used* by the loyal *Patriot's* Writers in the late *Reigns* : And here I shall *à propos* apply it, as the *Resuscitatio*, Part. 1. p. 37. mentions it as used by my Lord *Bacon* in a *Speech* in the *House of Commons* in the *Reign* of *King James the First*, to the *Question* now before us in the *Reign* of *King James the Second*. His Lordship's words are, *Since therefore we have a Prince of so excellent Wisdom and Moderation, of whose Authority we ought to be TENDER as he is likewise of our Liberty, let us enter into a true and indifferent Consideration how far forth the Case in question may touch his Authority, and how far forth our Liberty. And to speak clearly, in my opinion, it concerns his Authority much, and our Liberty nothing at all.*

That Expression concerning *tenderness* for the *Regal Rights* was very acceptable to the *House of Commons*, when his late Majesty in his *Letter* to them from *Bredagh*, *April 14. 1660*, thus made use of it, *viz. We have not the least doubt but you will be as TENDER in and jealous of any thing that may infringe our Honour and Authority, as of your own Liberty and Property, which is best preserv'd by preserving the other.*

Remember therefore that your *tenderness* for *Property* is best preserv'd by your *tenderness* for the *Regal Authority* : and if you would have your *thoughts* adorn'd by a constant *Idea* of true *English Loyalty* like a noble *Picture* retain'd there, let me direct you to a *Saying*, which like an *Original* drawn by a great Master, may be fit for you to *Copy* after, *viz. that Saying* of the Lord Keeper *Coventry* in a *Speech* in the *House of Lords*, *viz. Some would have the King's Prerogative rather tall than great; others è contra. But none can be truly loyal, but he that is a good Patriot, and none can be a good Patriot, but he that is truly loyal.*

Nor need it be further insinuated to you, that without your keeping up a *tenderness* for the *Regal Rights*, you cannot maintain your *tenderness* for *Oaths*. And here I must take occasion to tell you that one of my *aims* in entertaining you with the *Queries* relating to *Oaths* out of that *Book*, was to lay before your thoughts a *tenderness* as to *Oaths* in general, both in keeping the lawful ones you have taken, and in not *imposing* unlawful, doubtful, unnecessary, or *inexpedient* ones on others; and on such as our *Prince* considering the several *Constitutions* of their minds both as to firmness and infirmness, hath thought fit to exempt from taking such *strong Physick*.

Moreover if you will think that another of my *aims* was to mind you that the same *Queries* might have been as ingeniously and ingenuously put in the year 1673. before the passing of the *Test-Act*, as they were in debating the *Test-Bill* in the year 1675, I shall allow you so to do.

You may too (if you will) here *occasionally* consider how soon *God* in the course of his *Providence* doth sometimes turn the *Tables*, and make such who were lately so active in imposing on others *Oaths* that seem'd doubtful and oppressive to them, to be in danger of suffering by the like *Impositions*. Mr. *Burrough's* a Pious Independent *Divine* (who lived in the late times) referring in his *Irenicum* to the *Impositions* and *Persecution* design'd by the *Presbyterians* against those of his *Perswasion*, saith there, *but the*

the Tables may turn one day, wherein the Sufferers shall have the greatest Ease, and the Inflicters the forest Burthen. But God forbid that their Brethren should lay it upon them, tho it were put into their Power to do it. And you may take notice that the Book we before spoke of, owns the Activity of the Roman-Catholick Lords then in hindering that Test's being brought on Protestants: the Consideration whereof may (I think) justly incline all, who account it their Happiness to have been freed from that design'd Oath, not to grudge at the favour that hath been extended by the Dispensative Power to particular Roman-Catholicks excused from taking other Oaths: or at any just favour if ever happening to be afforded them by the Authentick Interpretation of what in the Statute-Oaths seems doubtful to them.

So tender was the Government in the time of *Edward the 6th*, about the not making the Consciences of the People uneasy by Oaths, that you will find it in the *Reformation of the Ecclesiastical Laws* begun in *Harry the 8th's* Reign, and carry'd on in his, that the *Magna nomina* who were employ'd to make a New Body of Laws, did in Compassion to the Consciences of those who took the usual Promissory Oaths for the observance of the Statutes of Universities, Collegiate Churches, and such like Societies and Corporations, order this Clause to be added to the Oaths, viz. *Hæc omnibus partibus servabo, quibus cum sacrâ Scripturâ, cum legibus civilibus, & Ecclesiasticis hujus Regni consentient, & quantum vires meæ patientur.*

The School-men (saith one) would be thought most tender and most curious in the point of Oaths. They mince them out so fine, that a whole Million of Oaths may stand (as some speak of Angels) on the point of a sharp needle. I have therefore not wonder'd at it when I have seen men standing on this sharp point of Oaths, so often inconsistent with themselves.

Notwithstanding what I told you out of my Lord Coke, that an Oath cannot be ministred to any unless the same be allow'd by the Common Law, or by some Act of Parliament, neither can any Oath allow'd by the Common Law or by Act of Parliament, be alter'd, but by Act of Parliament; yet as you know that the House of Commons in the 30th year of Queen Elizabeth desiring that no Oath or Subscription might be tendred to any at their entrance into the Ministry, but such as is expressly prescribed by the Statutes of this Realm, except the Oath against Corrupt entring, did thereby however approve of the tendring of that Oath, so my Lord Coke likewise, *Inst. 3. c. 71. viz. Of Simony* seems to approve of that Oath, in saying that *Simony is the more odious, because it is accompany'd with Perjury, for the Presentee, &c. is Sworn to commit no Simony, referring there to Lynwood, and had before in that Chapter refer'd to Canon 40. 1 Jacobi 1603. The Oath against Simony.*

You may too remember what I so lately told you of my Lord Coke's having with some approbation, or fair respect mention'd the Clergy's Oath of Canonical obedience.

And I can tell you that I lately looking on the Charter of the Corporation of Shipwrights, granted by King James the First in the Tenth year of his Reign, observed therein that Thomas Lord Ellesmere Lord Chancellor of England, Sir Thomas Flemming Lord Chief Justice of England, Sir Edward Coke Lord Chief Justice of the Common Pleas, did pursuant to the Statute in the 19th year of Henry the 7th allow and approve under their Hands and Seals divers Articles, Acts, and Ordinances for the better Order, Rule, and Government of the Art or Mystery of Shipwrights exhibited to them by the Corporation, and did moreover ordain the form of three new Oaths to be taken by the Officers and Freemen of that Corporation, and did DISABLE the Refusers of such Oath to be Members of the Corporation.

But I may here occasionally by the way tell you what you will find in *Croke 3d.* Sir *Edward Coke* Sheriff of *Buckingham's Case*, viz. That upon several *Exceptions* there mention'd as by him taken to the *Oath* tender'd to him as *Sheriff*, on the account of several *Additions* alledged by him to be in the *Oath* that were not in the *Ancient Oath in the Register*, and afterward *Confirm'd and Appointed by the Statute of 18 Edw. the Third*; and all the *Judges* being *Consulted* as to the allowance of the same, tho they allow'd of his first exception namely as to his *suppressing all Errors and Heresies commonly call'd LOLLARIES*, and being assistant to *Commissaries and Ordinaries in Church-matters*, &c. and that that *Clause* was fit to be omitted out of the *Oath*, because it is appointed by *Statutes that are repeal'd*, and was intended against the *Religion now Establish'd*, yet as to his second *Addition* complain'd of, the greater part of the *Judges* were of opinion that an *Oath in this Point* may be well enjoyn'd by the *King and Order of State* without *Parliament*, and that it may well be imposed on the *Sheriff* to take, being for the publick *Benefit and Execution of the Laws*. And as to his Fourth *Addition* complain'd of, namely, That he should Cause the *Statute of Winton* and the *Statutes against Rogues and Vagabonds* to be put in execution, whereunto he excepted, because the *Statute of Winton* was alter'd, and the *Statutes against Rogues and Vagabonds* are appointed to be executed by the *Justices of the Peace*, and not by the *Sheriff*: to this the *Judges* said, that this Fourth *Addition* rests on the former reason, that this *Oath* being appointed and continued divers years by direction of the *State*, altho without the expresse *Authority of any Statute Law*, yet may be well be continued for the publick benefit in repressing such *Persons*, &c.

A. What a terrible thing was it that that *Clause* about *suppressing Lollaries*, &c. should continue in the *Oath* so long after the *Reformation*: and that Sir *Edward Coke* should be the first *Protestant Sheriff* we have heard of whose *Conscience* was so delicate as to refuse to swallow that *poisonous Clause*?

B. You may too as justly say what a terrible thing is it that so many *Protestants* who have formerly by the frequent swallowing the *Poison of Contradictory Oaths*, habituated themselves to the quiet concocting of all *Oaths* (as the *King of Pontus* brought himself at last to digest all *Poisons*) will yet be so ready to endeavour to compel the *Consciences* of others to swallow such *Oaths* that they believe or suspect to be *poisonous*; a thing that hath probably tended to make so many among us to *Nauseate* the use of all *Oaths* as unlawful.

A. Whom do you mean by those?

B. The *Quakers*. And here I shall freely tell you that *Providence* having permitted so numerous a *Sect* as that of the *Quakers* among us to bear their *Testimony* against the lawfulness of *Oaths* in general, I shall be well content if the event of the bending the *Crooked stick* the contrary way (as my *Lord Primate's* Expression was) may be an universal *tenderness* as to *Oaths*, as I just now described it; and the want of which hath (as I shew'd you at our last meeting) been so scandalous to our *Country*, and brought an *opprobrium* both on *Protestancy* and *Christianity* it self.

Alexander ab Alexandro, l. 5. tells us, that there was no use of *Oaths* among the *Phrygians*. And tho *Grotius* saith in his *De jure Belli & Pacis*, that *jure gentium testi injurato non creditur*, yet it was by *Polybius* observ'd that in the better and simpler *Ages* of the *World* *Oaths* were seldom used in *Judicatures*. The *Athenians* would not suffer *Xenocrates* a *Person* of known *Probity* to take his *Oath* at the *Altar*, as a thing below his reputation. *Gellius*, l. 10. c. 15. saith, *Verba Prætoris ex edicto perpetuo*
de

de Flamine Diali & de Sacerdote Vestæ adscripsi. Sacerdotem Vestalem, & Flaminem Dialem in omni meâ jurisdictione jurare non cogam. And Livy hath it, that among the Romans the Flamen Dialis was not in any case allow'd to swear, least at any time he should forswear, which in him was held as the most hainous thing. I have too somewhere read Plutarch cited for justifying to this purpose the reasonableness of their not swearing; for that an Oath was a kind of torture to a free man: and that it was absurd not to credit their words: and for that an Oath draws after it an Imprecation or Curse in Case they should be forsworn, which seems to be a detestable omination toward the Priests of God.

Josephus relates it, that the *Essenes* Word was as sure as an Oath. So great likewise was the reputation of the *Christians* in the *Ancient* times for truth in Matters asserted or promised by them, that the Saying of *Christianus sum* did frequently pass currant for the *Cautio Juratoria*. And I shall always with reverence think of *Bellarmino's Tutissimum*, and of *S. Austin's Nullum Juramentum tutum*.

A late ingenious *Writer* apply'd to the *Clergy's* obtaining *Canons* for their not *Marrying*, the Observation that they always knew what was good for themselves; but I shall think it more applicable to what I read of in the Book of Mr. *Ley* beforementioned, p. 112. that as *S. Basil* was very zealous in behalf of *Bishops* that they might not be put to swear in respect of the Peril of an Oath, so he prevail'd so far as to free them from that Peril: and that the Council of *Challons*, *Can. 18.* was thus favorable to *Presbyters*: and that the *Triburiensian Council* favour'd them with this Constitution, that a *Presbyter* should not be compell'd to swear, but instead of an Oath, *e.* should be question'd upon his Holy Consecration in *verbo sacerdotis*: because (as the reason is there rendred) Our Lord forbad his *Disciples* to Swear.

And I shall tell you, that if you will allow *Lawyers* to know what is good for themselves, you will find them of all sorts of men to have the greatest aversion against being *Witnesses*.

The *Jesuites* too, who are by all reputed wise in their Generation, are by *Dr. Donne* in his *Pseudo-Martyr*, p. 350. referred to as having so extraordinary an aversion against Oaths, that he cites the *Spongia pro Jesuit*, p. 79. for their out-doing the *Essenes* in hyperbolical Detestations of Oaths.

I account it for the honour of the Age that any one doth fall under the Character of *bipedum nequissimus* who being sued by a *Quaker* at *Common-Law* for a just Debt, would obstruct such Debt by an *Injunction* out of *Chancery*, till the *Quaker* hath there answer'd a *Shamming Bill* upon his Oath.

And as by the Clemency of His Majesty's Government, *Quakers* there making Answer upon their Oath to *Captious Bills* hath been to the general Satisfaction of the compassionate Just (as it were) tacitly dispens'd with, and as likewise their *Promissory Oaths* of Allegiance have been, I doubt not but his express or tacit dispensing with other Loyal and Conscientious particular Persons doubting of the lawfulness or expedience of some *Promissory Oaths*, will be as generally grateful.

I wish there were no greater Superstition in the World then the *Quakers* so much restraining to their epitomes of speech in Commerce the interpretation of those words in *S. Matthew*, But let your Communication be *Tea, yea, Nay, nay, &c.* which were pursuant to the Proverbial Saying among the *Jews*, *Iustorum etiam est etiam, & non est non.* And as King *Athelstan's* Charter to his Tenants the *Inhabitants* of *Rippon* I have elsewhere mention'd, viz. *Quod homines sui Riponienses sint credendi per suum Pa*

et per summum Regem, in omnibus querelis & curiis, &c. hath been by none that I have heard of look'd on with an *evil eye*, so neither by me should the like *Dispensation* granted by our Prince to any others he repined at.

A. Your having (as it were) *diverted* me by the thought of that *Superstition* of the *Quakers*, brings to my mind the pleasant Enterainment you once gave me by lending me a Book writ long ago, call'd *A brief Treatise of Oaths exacted by Ordinaries and Ecclesiastical Judges to answer generally to all such Articles or Interrogatories as pleaseth them to propound: and of their forced and Constrained Oaths ex officio, wherein is proved that the same are unlawful.* And I remember much of the matter in that Author being dull, I came to somewhat at last recited by him, that had in it some *Sales*, or what I may call some drops of *Spirit of Vitriol*, and which were but necessary to give a grateful acidity to his *Apozeme*, when he toward the end of that Book of Oaths, in p. 56. and 57. thus brings in a *RATIONALE* of the Ceremonious manner of giving an Oath, and of the Manufacture of it as some men do *fidem facere* by it, viz. For in this matter of an Oath they have devised according to their toying fantasie a certain foolish figurative Ceremony in the ministring thereof. For the Deponent forsooth must lay his three middle Fingers stretch'd outright upon the Book in signification of the Holy Trinity and Catholick Faith, and his Thumb and little Finger he must put downward under the Book, in token of Damnation both of Body and Soul, if he say not the truth. The Thumb belike as the greater, representing the heavy mass of the Body: and the little Finger the light and incorporeal substance of the Soul. How superstitious also they were concerning this Ceremony of the Book (little regarding the true use and end of an Oath) as appears by the Allegorical Exposition curiously set forth by one of their Personate and Counterfeit Prelates, who saith that the Circumstances in the Act of an Oath are very great and weighty, inasmuch as he that Swareth by a Book doth three things: First as tho he should say, Let that which is written in the Book never do me good, neither the new nor the old Law if I lye in this mine Oath. Secondly, he puts his Hand on the Book, as tho he should say, Nor the good work which I have done profit me ought before the face of Christ, except I say the truth which is founded in Christ. Thirdly, he kisseth the Book, as tho he should say, Let never the Prayers and Petitions which by my mouth I have utter'd, avail me any thing to my Soul's health, if I say not truly in this mine Oath. Yet you must take this as meant only by this Reverend Father where Lay men, or the baser sort of the Clergy take an Oath. For that blessed Bonner not long since hath taught us this trick of his Law, that a Bishop may Swear (such is his Privilege) *inspectis Evangeliiis & non tactis*; bare sight of the Book without touch or kiss, will well enough serve his Lordship's turn.

B. Well Sir, throwing out of our thoughts the minutiae of all formal trifling, let us not at the same time try to make men laugh and weep by imposing Oaths on them. And let the Consideration of this, namely that the Noble Morals enjoy'd by the Christian Doctrine have not prevailed all this while to secure Christians against one another without the Garranty of Oaths, or by the Christianus sum not being still judged *æqui-ponderous* with an Oath, impress a solemn grief on our Minds. And considering that both the *Verbum Regium*, and the *verbum Sacerdotis* have been so much allow'd equal to Oaths, and that all Christians ought to value themselves on being *A Royal Priesthood*, and on their great Chief having made them Kings and Priests to God and his Father, let us bemoan the present State of Christianity and Christians, having (as it were) Decreed it that they cannot take one anothers words. And let the thought likewise of the insufficiency of the

the *Security* of Oaths themselves to keep up *Governments*, work in us such a serious Mortification and Profound sense of the *degeneracy* of Mankind, and such an inclination to place our chief Confidence in somewhat above the words, or Oaths of men, as becomes us.

But I shall give you an *instance* of this at home too pregnant with horror. Our thoughts have had a long melancholy walk in the *Peristyllium* of the many *Interpretations* that supported our Great Oath of Supremacy, and as to which Oath it being probable that a *vulgar* Error having prevailed among many of the *Faction* for some time before the year 1640. namely that the Oath of Supremacy was intended to bind only in opposition to Popery, occasion was thereby given to the *Fathers* of our Church to procure the last *Authentick* Interpretation of the *Affertory* part of the Oath in the *Canons* of 1640. and cautioning us there in the first Canon against any *Independent Coactive Power* whether *Papal* or *Popular*. But after our view of the orderly and necessary placing of all these polish'd and strong *Pillars* of *Interpretation* erected between the time of *Primo Elizabethæ* and the year 1640, and after Providence so ordering it at last, that the *Consciences* of the *Loyal* who were then reserv'd as *Lyons* to guard the *Throne*, had then a clear Oath to guard their Loyalty, and after their having then cause to say *Tantæ molis erat* to render the Oath both acceptable to Conscience and adequate to its first reasonable intention, the Land was punish'd with a dreadful *Rebellion*, and the *sacred* Obligations of the Oath and all its *Interpretations* could no more quench the raging Flames of the *Civil War* then the sprinkling of a little Holy Water could save a Town on fire.

You may therefore here again more particularly take it into your thoughts, that there is somewhat beside or beyond Oaths necessary to incline Heaven to Preserve States and Kingdoms and Ecclesiastical Polities therein, namely the trusting in God, and offering to him what the 51. *Psalms* calls the *Sacrifices of God*; and without which the thought of the *tantæ molis* and the endeavour'd piling *Interpretation* upon *Interpretation*, or Oath upon Oath as high as Heaven, and thereby designing to keep men together embody'd and united in the external Profession of any State-Religion, will prove as insignificant as did the old *Politicks* I shall refer you to in the *Sacred Story*, and when the whole Earth was of one Language, and of one Speech, and the *Vogue* was, *Let us build a City and Tower whose top may reach to Heaven, and let us make us a Name, lest we be scatter'd abroad on the face of the whole Earth*. But Heaven confounded their Language, and their City was call'd *Babel*, and their feared Dissipation was their Punishment. They were so diffident of the Divine Promise whose garranty they had, that they were resolv'd by their own hands to provide against all Dangers of a future *Deluge*, and having built their Tower with *Brick*, they thought 'twould defend them from the Power of *Fire*, concerning which they had heard the *Tradition* that a general Destruction of the World should proceed from the fury of that *Element*; and they vainly endeavour'd to secure themselves against the anger of Heaven rather by a lofty Pile, then by lowly Minds.

A. That wretched *vulgar* Error you referr'd to, did shew that the *line of Confusion* was stretch'd forth on Men's understandings as well as on the Realm in that *Conjuncture*: and I have observ'd that that *vulgar Error* did last to the very time of the *ferment* about the *Exclusion*, and long before which time as well as then some have talk'd and writ at this rate, *viz.* That the Oath of Supremacy was expressly made (as the title of it shews) to shut out the *Usurpation* of foreign Powers and Potentates, and was

not meant to provide against any popular Usurpations or Diminutions of the King's Supreme Authority.

B. O God! But to speak or write at that rate to Conscience, is *Chicanerie*. And I have elsewhere mention'd what one whom I cannot too often mention to be as fair a dealer with Conscience as any the Age hath had, told us in his *sixth Lecture of Oaths*, about the Oath of Supremacy binding in this Case. You know I mean Bishop Sanderson, who there shews, that *tho Popes Usurpations or arrogating to themselves the Supreme Jurisdiction in spiritualibus throughout this Kingdom, was the Cause of the Oath of Supremacy, yet the Oath is obligatory according to the expresse words in the Utmost Latitude: the reason is, that the intention of a Law is general to provide against all future inconveniences of the like kind, or nature.*

Moreover the words in Queen Elizabeth's Admonition referring to the Persons call'd to Ecclesiastical Ministry in the Church, as the doubters, and the tenour of all the subsequent Interpretations as speaking them principally occasion'd by the doubters in the Church of England, do further shew the Vanity of that Objection.

And if you will more particularly think of the Queen's Authentick Interpretation of that Oath and approved in Parliament, you will find the Oath of Supremacy to be an Oath of Allegiance, and that it may be so likewise properly termed. For in the beginning of the Admonition you will thus find it, *viz. The Queen's Majesty being inform'd that in certain places of this Realm, sundry of her native Subjects being call'd to Ministry in the Church, be by sinister Persuasion and perverse Construction, induced to find some scruple in the form of an Oath, which by an Act of the last Parliament is prescribed to be required of divers Persons for the recognition of their ALLEGIANCE to her Majesty, &c.*

A. As one may perceive by what the Queen's Interpretation in the Admonition refers to, that there was a great ferment in the Kingdom about the sense of the Oath, so suitably to what you mention'd of the Prudence of our Ancestors that caus'd various ferments to go off so insensibly, the next Parliament in approving her Interpretation without troubling themselves to question the Authentickness of it, doth corroborate your observation of the Excellence of the English understandings.

B. It doth so. The fermentation in the minds of the People you speak of had been Epidemical. And tho one might fancy by the Proem of the Admonition that the Interpretation as well as the Dispensing with Disability had an eye but on an inconsiderable number of People there refer'd to in the foremention'd words of *sundry of her Majesty's Native Subjects in certain places of this Realm, &c.* yet any one who knoweth the History of those times will find the Interpretation and Dispensation (as I may say) Calculated for the Meridian of all England, and the Interpretation having an eye on all Christendom.

There was then in the Morning of that Queen's Reign, and of the restoration of the Reform'd Religion, such a thick mist of causeless Fears and Jealousies that had generally o'erspread the minds of Protestants and Papists shortly after the Birth of the Statute of 1^o Eliz. c. 1^o. that nothing but the Supremacy both of Power and Reason that shone in her authentick Interpretation of that Statute could disperse, and that too not suddenly. For as Mr. Nye in his Book of Two Acts of Parliament, or Observations on that Oath, tells us, *It is mention'd in the Admonition that the Queen's Ecclesiastical Power is the same that was challenged and used, by Henry the 8th, &c. which is supposed by some to be the same that was in the Pope, the Person only and*
not

not the Power changed : so that our Princes are but secular Popes. This Objection was strengthen'd by the subtlety of Gardiner abroad : and at home by a Sermon Preach'd at Paul's Cross in the year 1588. by Dr. Bancroft, who calls Q. Eliz. a Petty Pope, and tells us her Ecclesiastical Authority is the same which the Pope's was formerly : and in the Margin opposite to what he had said of the subtlety of Gardiner, strengthening the Objection abroad, hath these words, viz. Whom Calvin terms Imposterille. And Mr. Nye afterward goes on to shew how the 37th Article did remove the Objection sufficiently.

The Author of *The true Grounds of Ecclesiastical Regiment*, Printed in London, A. 1641. doth in p. 53. mention some mens objecting it against the Ecclesiastical Supremacy of our Monarchs, that it may descend to Infants under Age, as it did to King Edward the 6th, or to Women as to Queen Mary and Queen Elizabeth, and that whatsoever we may allow to men, such as Henry the 8th; yet it seems unreasonable to allow it Women and Children. The Papists think this Objection of great moment, and therefore Bellarmine in great disdain casts it out, that in England they had a certain Woman for their Bishop; meaning Queen Elizabeth : and she knowing what an odium that word would draw on her both among Papists and many Protestants also; Consults her Bishops about it, and by their advice sets forth a Declaration, certifying the World thereby, that she claim'd no other Headship in the Church, but such as might exclude all dependency on foreign Headships, and secure her from all danger of being deposed, &c. The Bishops in this did as warily provide for their own Claim as the Queen's. And the Roman-Catholick Author of the *Advocate for Conscience Liberty*, discoursing of the Oath of Supremacy in p. 181. & seq. saith, That Luther, Calvin, Knox, Gilby disliked it : and mentions that a Jurisdiction purely spiritual was communicated to H. the 8th by his Supremacy, and assumed by him, and that he wanted his Spiritual Bytitle of Supremacy to justifie his Divorce, and his taking the Church Revenue into his hands : and that the Protectorship in E. the 6th's time by virtue of the Oath of Supremacy continued to make new Church-Laws, Institutions, &c. and that Queen Elizabeth reassumed this Jurisdiction, having a greater necessity for it then her Brother, because her Marriage was declared null by the Pope. So then the state of Protestancy abroad and at home call'd on the Queen to distribute or dispense her Supreme Power in her Law by her Interpretation making a change not of it, but in the body of it : and which had it been changed by a repeal in Parliament for another, would have seem'd to blemish her figure of *semper Eadem*, and have reflected on the Understandings and Consciences of those who had before took the Oath.

There was then in that Conjunction an universal outcry of Conscience that Sin lies at the door, a thing worse then Hannibal ad Portas; a burthen that hath caus'd all the Groans of the Creation that ever happen'd. And where there is *Periculum animæ* there is always *Periculum in morâ*, and which the Queen's authentick Interpretation did remove, and which was approved by the next Parliament : and no noise made or complaining heard in our streets about any seeming Alteration made in the Law or Oath it self, by the Prerogative of interpretation or acquittal from the disabling Punishments then exercised. And it is but congruous to humane Nature and common Policy in men when they see any thing not ill in it self done that hath eminently conduced to make the World easie, not to embarrass such thing with litigious scruples about the *fieri non debuit*, nor to adventure to trouble the World again when it is inclined to and resolv'd upon its rest. Some thoughts of this Nature probably inclined my Lord Coke to shew the Complaisance he did, not only to King James his incapacitating Canon about the

the double Subscription, but as to the Oath against Simony & that of Canonical obedience, and which inclined Judge Croke to be pleas'd with the Canons of 1640. tho containing the Oath with an *Et cætera*, and which made the Judges so apt to over-rule some of Sir E. Coke's Exceptions to the Sheriffs Oath, as I have mention'd.

You may indeed find that some among the Puritans in some Conjunctions in Queen Elizabeth's time, did presume to reproach the Government of the Church with her having dispens'd with the disability of some Persons incurr'd by Act of Parliament. The Author of the famous Book publish'd in her Reign, call'd, *An Abstract of certain Acts of Parliament*, hath in the Conclusion these two factious Queries, viz. *Whether a mere Lay-man, no Doctor of the Civil Law, may be a Bishop's Chancellor, and so may Excommunicate? Whether a mere Lay-man no Doctor of the Civil Law, may be a Bishop's Register, contrary to an Act of Parliament?* The Author intendeth there to refer to the Statute of 37°. H. 8. c. 17. and as he had before expressly done in p. 196. & Seq. and of which Statute we have so much discours'd; and he in p. 201. instanceth in many Lay-men who were not Doctors of the Civil Law, and yet then exercised Ecclesiastical Jurisdiction. He had too in p. 196. took notice that as that Statute establish'd and confirm'd to the King and his Successors, and so unto our most Gracious Sovereign the Queen's Majesty that now is, lawful Prebeminence, Power, Superiority and Lordship over all Persons within her Dominions of what state or Condition soever, touching Punishments for any Heresies, Errors, Vices, Schisms, Abuses, Idolatries, Hypocrisies and Superstitions springing or growing by means of any her disobedient and disloyal Subjects; so hath her Majesty by her Injunctions publish'd, that her Highness did never pretend any Title or challenge any Authority to punish any of her Subjects for any of the said Offences by Censure Ecclesiastical in right belonging to her Royal Person; but that her Highness meaning and intent is and always hath been to commit the execution thereof always to the Ecclesiastical State of her time: and he then sets down her Interpretation in the Admonition.

But had that Author consider'd how it was declared by that Statute, that by Holy Scripture all Authority and Power is given to His Majesty, and all such Persons as His Majesty shall appoint to hear and determine all manner of Causes Ecclesiastical, and to correct Vice and Sin whatsoever; and that this Statute was revived by the 1st of Eliz. he would not have wonder'd at the Queen's allowing that Statute to be dispens'd with as it was. Nor would any one therefore wonder at the Royal Martyr in the 12th and 13th Canons of A. 1640. Condescending to humour the Complaints of the Puritans by an equal Interpretation of that Statute of 37° H. 8. and by dispensing with it as he did; and that so far as to the disabling Lay-Chancellors to proceed in such Censures as they were enabled by that Statute to do.

Mr. Bagshaw in his first Argument in Parliament concerning the Canons thus reflects on the Clergy for those two Canons, viz. Concerning the 12th and 13th Canons touching the freeing and discharging of Chancellors and Officials from executing any Excommunication in their own Person, or any Censure against the Clergy, because they are Lay-men; I say, that in doing and enacting this they have done quite contrary to an Act of Parliament still in force, in taking from them this Power of exercising the Censures of the Church which that Statute gives them: which I did look when some Civilians now in the House should have maintain'd. And altho it were to be wish'd that only Clergymen should have this Power of Excommunication, and other Censures of the Church; yet seeing an Act of Parliament hath
given

given this Power to Lay-men, it is high Presumption to make Canons against it.

But he well knew that after the stamp of the Royal Authority put on these Canons as well as before, Lay-men in the Court of Delegates did Excommunicate, and as they did in the high Commission. And you may observe it, that in the Commission granted *Primo Elizabethæ* to her Commissioners pursuant to the Statute of that year, there were but two Clergy-men (and those Bishops) and 17 Lay-men.

My Lord Coke, Inst. 4. c. 74. writing of the High Commission in Causes Ecclesiastical, saith, *There is no question but the Commissioners for such Causes as are committed to them by force of this Act, may, if the Commissioners be Competent, proceed to deprivation of the Popish Clergy, which was the main object of the Act, or to punish them by Ecclesiastical Censures, &c. And without question if the Commissioners be COMPETENT, that is, if they be spiritual men, they may proceed to Sentence of Excommunication, which may right well be Certify'd as well as Excommunication before Commissioners Delegates: both of these Authorities being under the Great Seal, &c. And Excommunication certify'd by Commissioners Delegates hath been allowed as it appeareth in 23. Eliz. Dyer. 371. And in many Cases Acts of Parliament have adjudged men Excommunicate ipso facto. But if they be meer Lay-men, the fault is not in the Statute or in the Law, but in the Nomination: and upon Certificate made of the Excommunication according to Law, a Significavit, or Cap. Excom. shall be awarded out of the Chancery, for the taking and imprisoning the Bodies of such Excommunicate Persons. But had his Lordship (as I said in the Case of the other Author) consider'd how by the Statute of 37. H. 8. it was declared that by Holy Scripture all Authority and Power is given to His Majesty, and to all such Persons as he shall appoint to hear and determine all manner of Causes Ecclesiastical, and to correct Vice and Sin whatsoever, he would not (I believe) have thought Lay-men incompetent or incapable Persons so to have acted in the high Commission, or Delegacy, or have said there was any fault in the Nomination of Lay-men.*

And yet you see my Lord Coke shews you how the Government then acquiesced in such Nomination; and assisted the execution of the Sentences given by such as he thought incompetent.

Nor are we therefore to wonder at what Mr. Bagshaw mentions of the Civilians in the House of Commons not objecting that the King had done contrary to an Act of Parliament in taking from Bishops, Chancellors and Officials the Power of exercising Church Censures given them by the Act: and which by the Power declared in that Act to be given him by Holy Scriptures, he might have either continued to them, or abridged or taken away the exercise thereof from them, if he had pleas'd. And considering that the *Lex Scandali* doth equally oblige Kings as well as Subjects in Point of Conscience, it is not to be wonder'd that that Tender-conscienced King did in that Conjecture think himself obliged so equitably to make his Interpretation of that Statute as in complaisance with some of his Subjects who had took offence at Lay-Chancellors Power of Excommunicating, to disable them to it.

I told you before how that Pious Prince did in complaisance with the Fathers of our Church think himself obliged to exercise his Regal Power of interpreting or declaring, and when in A. 1637. he issued out his Proclamation Declaring that the Bishops holding their Courts and issuing Process in their own Names were not against the Laws of the Realm, and that the Judges resolutions were notify'd therein to that purpose, and that the fer-

ment about that Point was settled, and the Bishops *issuing* out their *Processes*, was settled too; the which *Proclamation* too you will find Mr. Bagshaw mentions in his *second Argument*, where p. 40. he tells you of *the Bishop's having procured a Proclamation, A. 1637. declaring the Opinions of the Judges, that the Statute of 1^o Edw. 6. c. 2. is repeal'd and of no force at this day, and that Bishops may keep Courts in their own Names.* And I shall now tell you, that as in the year 1637. the Bishops were in so full and peaceable possession of their Privilege of *issuing* out of their *Processes* in their own names, by means of what His Majesty had declared pursuant to the *Resolutions* unanimously given by all the Judges and the Barons of the *Exchequer* (and of which Sir E. Coke saith, *Inst. 2. that they are for Matters of Law of highest Authority next to the Court of Parliament*) so by Judgment of Parliament the settlement of that Controversie by virtue of His Majesty's *Declarative Power* so exercised, was afterward approved.

A. That is a thing I would gladly hear of; for one would think that the exercise of the Regal Power of *Declaring* or *Interpreting* what relates to an *Act* of Parliament might occasionally heighten a ferment in stead of abating it.

B. You will find little or no cause if you consult our ancient *English Story* (and there see how the mutual *Confidence* between King and People hath in several Ages supported the Government) to fancy that *Declaratory Proclamations* relating to *Acts* of Parliament did make any ferment. The *Interpretation* of the *Statutes* hath in all *Causes* between Party and Party, and wherein *meum* and *tuum* and *Property* are concern'd, been by ancient usage under our Kings still left to the Judges: and the *Proclamations* of our Princes on great emergent occasions in the State *declaring* or *interpreting* their Laws pursuant to the *Supreme Power* committed to them by God for the good of their People, hath still been observ'd to tend both to the good of the People and the Laws too. If you will look on all the *Declaratory Proclamations* in the Reigns of Queen Elizabeth and King James, of which you have a *Collection*, you will (I believe) find none but what were acceptable among all their Loyal Subjects.

But as to this *Declaratory Proclamation* of King Charles the First before-mention'd, you will find it (as I told you) approved in Parliament. And if you will please to consult in your *Statute-Book* the *Act* of 13^o Car. 2. c. 12. of which the title is *Explanation of a Clause contain'd in an Act of Parliament made in the 17th year of the late King Charles, Entituled an Act for repeal of a branch of a Statute 1^o Elizabethæ, Concerning Commissioners for Causes Ecclesiastical*, you will there find that this *Act* of the late King's loyal long Parliament, viz. 13^o Car. 2. hath in it three *Proviso's*. The first is concerning the *High Commission-Court*: the second *Proviso* is concerning the taking away the Oath *ex officio*. And the third *Proviso* is, to limit and confine the Power of Ecclesiastical Judges in all their Proceedings to what WAS and by Law might be used before the year 1639, which plainly includes, allows and approves King Charles the First's *Proclamation* in the year 1637.

In the time of a former disloyal long Parliament, the Regal Power of *Interpreting* or *declaring* was by them represented as a *Gravamen*, and while yet they *usurp'd* that Power themselves. If you will look on the *Declaration of the Lords and Commons*, in Husband's *Collections*, p. 686. you will there find they say, *It is high time for the whole Kingdom now to understand that His Majesty's Authority is more in his Courts without his Person than in his Person without his Courts, when the Power of DECLARING Law shall be deny'd to the whole Court of Parliament in particular Causes before them,*
(for

(for we have claim'd it, we have exercised it no otherwise to be obligatory as a judicial Declaration of the Law) and shall be attributed to His Majesty to do it in general by his Proclamation without relation to a particular Case, and making his Interpretation of the Law to be a rule in all Cases, as in divers late Proclamations he hath done. And if you will look on His Majesty's Answer to the Declaration of both Houses of Parliament of July 1. 1642. you will find there very many Profound Observations and Presidents, and Authorities of Law, and wherein he several times refers to the happy times of that good Queen Elizabeth, as well as to ancient Times, and he thence taking his measures, saith in p. 15. The King caus'd Proclamations to be made; for in such Cases Proclamations declaratory were not conceiv'd in those times to be illegal, &c.

And you may easily imagine this Power of authentick Interpretation very well Consistent with the just Power of the House of Lords in declaring the Law in a particular Case: of which I occasionally mention'd to you the late Earl of Anglesey's opinion. But how not only the Lords, but the House of Commons did often during the late Rebellion encroach on the Regal Power of declaring, and by Ordinances without and against the King's consent, I shall some other time shew you at large.

A. Can you readily now at this time give any instance of the House of Commons then doing any thing of that Nature?

B. Yes: and I can refer you for the fact of it to The Declaration of King Charles the First, of August 12. 1642. to all his loving Subjects; and who there mentions, That after several intimations of Treasons, PLOTS, and Conspiracies by the Papists, of great Provisions of Arms by them, and training Men under-ground, and many other false Reports created, spread and countenanced by themselves upon some general Apprehensions of Designs against them, a Protestation is made in the House of Commons for Union and Consent among themselves to perform those Duties which (if they had meant no more then they had express'd) had been sufficiently provided for by the Oaths they had already taken, and which their former Duties obliged them to. Hereupon a Protestation is framed, and being put into such words as no honest man could believe himself obliged by it to any unlawful Action, was voluntarily taken by all the Members of the House of Commons, and presently recommended to the House of Lords, where it receiv'd the same Countenance: that is was look'd upon as containing nothing in it self unlawful, tho some Members of that House refused to take it as being voluntary, and not imposed by any lawful Authority. Then 'tis recommended to the City of London, and over all the Kingdom by Order from the House of Commons (a strange and unheard of Usurpation) to be taken by all Persons. But within very few days, upon Conference among themselves, and among those Clergymen who daily sollicite their unlawful and unwarrantable Designs with the People, they find they were by this Protestation so far from having drawn People into their Combination, that in truth all men conceiv'd that they were even engaged by it against their main Design, by promising to defend the true Reform'd Protestant Religion express'd in the Doctrine of the Church of England:

And thereupon some Persons of that Faction prevail'd, that after the Members of the Houses had taken it, a Declaration was set forth by the House of Commons, that by those words The Doctrine of the Church of England, was intended only so far as it was opposite to Popery, and Popish innovations, and that the words were not to be extended to the maintenance of the Discipline and Government, &c. and so under this Explication and Declaration publish'd only by the House of Commons, and never assented to by the House of Peers, this Protestation was directed

rected to be generally taken throughout England. And to that purpose a Bill is drawn, passed the House of Commons, and sent up to the House of Lords, who at the second Reading finding many particulars in it unfit to be so severely imposed upon the Subjects absolutely rejected.

You see here again an *Instance* of the Prudence of the great *Consiliarii Nati*, His Majesty's great Council, in not aiding the Faction against *Prerogative* in that Point. For tho on the account of His Majesty's *tacit Dispensation* by way of *Connivence* presumed in that Conjunction, many of the Loyal of the Church of England did take that *Protestation* and concur in the recommendation (His Majesty not having *Prohibited* the taking of it, as he did afterward by a Proclamation forbid the taking of the *Covenant*) yet when it was visible that such an *Interpretation* so encroaching on the Church of England, and on *Prerogative*, was design'd without and against His Majesty's Approbation to be imposed on the People; it is not to be wonder'd that the *Lords* (as things then were) rejected a *Bill* of that Nature.

But it follows then in His Majesty's *Declaration*, *Yet of this we took no notice, but pressed still the Disbanding of the Armies, &c.* so that the ferment about the *Protestation*, and the trouble it gave the Kingdom by the *Super-induced Interpretation*, were in a short time over.

A. You having from the occasion given you by Queen Elizabeth's Power of *interpreting*, and by her *dispensing* with disability in all who took the Oath of *Supremacy* according to the sense notify'd in *The Admonition*, refer'd my thoughts often to the *Regal Power* of interpreting, and having in the beginning of our Discourse this meeting, left it to me to consider how much the *Power of Dispensing with any Law may be thought co-incident with interpreting*, and promised me that you would some other time shew me at large that the *Dispensing with Laws is in effect the equitable interpreting that in such and such Cases and Circumstances they were not intended and ought not to bind, but ought to be relax'd*, I shall be glad if before we part, you would do it.

B. I had rather do it at our next meeting. And if in the mean time you please to entertain your self with Bishop Taylor's *Ductor Dubitantium*, you will there find much learnedly writ of this subject. And he there in l. 3. c. 6. particularly tells us, that the *Interpretation of Laws made by Judges, is matter of Fidelity, and nothing of Empire and Power: and it is a good probable warranty of Conscience, but no final Determination in case any doubt happen to oppose it. No man is to ask favour of the Judge, but of the Prince he may.* And he had before said, *That when the Power that made the Law doth interpret it, the Interpretation is authentical and obligeth Conscience as much as the Law, and can release the Bond of Conscience as far forth as the Interpretation extends, as if the Law were abrogated, and that whether it be by declaring the meaning of the Law, or by abating the rigour, or by dispensing in the Case, or enlarging the Favour, or restraining the Severity, it is all one as to the event of the Obligation of Conscience.*

A. But it seems then that he makes the *declaring* or *interpreting* the meaning of a Law, and *dispensing* to be different things.

B. He had an excellent *Metaphysical* head: and his *Method* of writing in that Chapter, *Of the Several ways of the changing of Humane Laws*, was partly after the Example of Suarez in his Book *De Legibus*, and who was a voluminous Writer of *Metaphysicks*, and writing of any Subject could not *recedere ab arte suâ* in that Learning that is so infinitely prolifick of *Artificial* distinctions without *Natural* differences.

I mention'd the *Bishop's* but *PARTLY* writing after the way of *Suarez*; for he was far from crumbling the weightier Points of the *Law* into the *Minutiæ* of *Metaphysicks* as the other did; and he in his excellent *Preface* doth very passionately complain of *Moral Theology*, having been made an *Art* of the *Schools*, and that *what God had made plain, Men have intricated*; and for that purpose saith, *There is a Rule among the Lawyers, which very much relates to the Conscience of those Men who are engaged in Suits and Sentences of Law in all Countrys which are ruled by the Civil Law, in quolibet Actu requiritur Citatio: of this Rule Porcius brings an hundred and sixteen Ampliations, and an hundred and twenty four Limitations, &c.* And thus *Suarez* in his 6th Book *De Legibus*, (and the Title of which Book is, *The Interpretation, Cessation and change of Humane Laws*) hath there Twenty seven Chapters concerning the same: and where his first Chapter is, *Of the way of rightly Interpreting an Humane Law*: his 2d, *Of the Extension in them by Interpretation of them*: and his 3d, *Of the Extension to a Case not Comprehended*: his 4th, *Doubts of the Extension of Laws*: his 5th, *Of the Restriction by Interpretation*: his 6th, *Of the Ceasing of the Obligation of a Law in particular Contrary to its words*: his 7th, *Of the Excusing of a Law by Equity*: his 8th, *Of the Use of Equity without recourse to the Prince*: his 9th, *Of the Ceasing of a Law upon its Cause ceasing*: his 10th, *Of Dispensation in an Humane Law*: his 11th, *Of the Effects of Dispensation*: his 12th, *Of the Material Cause of Dispensation*: his 13th, *Of the form of Dispensation*; and so on in the others with much *Metaphysical* subtlety.

But the *Bishop* in his before-mention'd Third Book and 6th Chapter, viz. *Of the Interpretation, Diminution and Abrogation of Humane Laws*, brings in but seven ways of the changing of humane Laws, so that the Obligation of Conscience is also changed; whereof his first is by *Equity*. His second is by *Interpretation*. His third, by a *Contrary, or a ceasing reason*. And his fourth by *Dispensation, &c.* and of which latter he saith, *If we use the word improperly, Dispensation can signifie a Declaration made by the Superior that the Subject in certain Cases is not obliged, that the Law-giver did not intend it, &c. but when Dispensation signifies Properly, it means an Act of mere Grace and Favour proceeding from an extrinsick Cause; that is, not the Nature of the thing, or the merit of the Cause, but either the merit of the Person, or some degrees of reasonableness in the thing, which not being of it self enough to procure the favour of the Law, is of it self enough to make a man capable of the Favour of the Prince, &c.*

But as here in this nice distinction, he is enforced to make him who doth dispense to do that which the *Canonists* make the *ratio nominis* of it, namely *diversa pensare*, and in the Scales of *Equity* to weigh and interpret the degrees of the reasonableness of the thing, so in his handling of the Prince's Power of interpreting, he makes *Equity* Co-incident with it, and refers to the Law in the Code, viz. *Inter æquitatem usq; interpositam interpretationem nobis solis & oportet & licet inspicere*: and his instances of that Power of Interpretation are referr'd to the favours shew'd by it to Persons, and particularly to *Solomon's* absolving *Abiathar* from the Sentence of Death, because he had formerly done worthily to the Interests of his Father *David*. And then saith, *Now this Power tho it may be done by Interpretation, yet when it is administered by the Prince, it is most commonly by way of Pardon, absolute Power and Prerogative. When a Law determines that under such an Age a Person shall be UNCAPABLE of being the General of an Army, the Supreme Power can declare the meaning of the Law to be, unless a great excellency of Courage and maturity of Judgment supply the want of years: in which very Case, Scipio Africanus said wisely, when he desir'd to be employ'd in the Punick*

War, Se sat annorum habiturum si populus Romanus voluerit. Thus Tiberius put Nero into the Senate at Fifteen years of Age, and so did Augustus the like to Tiberius and his Brother: and the People declar'd or dispens'd with the Law in Pompey's Case, and allow'd him a triumph before he had been Consul or Prætor. And he had before said, When the Law-giver interprets his Law, he doth not take off the Obligation of his Law, (i. e. meaning the Obligation of his Law in general) but declares that in such a Case it was not intended to oblige. Tacitus tells of a Roman Knight, who having sworn to his Wife that he would never be divorced from her, was by Tiberius dispens'd with, when he had taken her in the unchaste Embraces of his Son-in-Law. The Emperor then declared, that the Knight had only obliged himself not to be divorced, unless a great Cause should intervene.

And thus Suarez himself in his said 10th Chapter, *De Dispensatione in lege humanâ* makes Dispensation apply'd to signifie an act *quo quis ab obligatione legis eximitur*, and saith, *quia unus modus esse potest per Interpretationem, ideo potuit etiam in eâ significatione usurpari: tamen in hac etiam significatione sumpta, non quamcunque interpretationem legis, sed illam solam quæ in casu dubio, & per potestatem superioris datur ad liberandum subditum ab obligatione legis significat: quia hæc tantum est Actus administrationis & potestatis A DEO Commissæ. Et illa tantum tollit aliquo modo onus legis, quod sine tali potestate auferri non posset: and so (saith he) 'tis agreed on by all that Dispensation is an Act of Jurisdiction: but 'tis drawn into the Law to signifie the taking away the vinculum of the Law in particular Cases, and so we generally use it.*

A. But *Metaphysicks* apart. I shall not trouble my self about *what is what*, but *what is my Duty* by virtue of my Oath. And I observe, that what you cited out of the Bishop, viz. *That when the Power that made the Law doth interpret, the Interpretation is authentical, &c.* may render him no favourer of an Interpretation not made in Parliament by the Legislative Power.

B. I shall sometime at our meeting again observe to you what the Bishop hath there asserted, l. 3. c. 3. that *Kings have a Legislative Power in the Affairs of Religion and the Church*, and where he saith, that the LEAST part of this Power is to permit the free exercise of it, and to remove all Impediments, and to give it Advantages of free Assemblies, and Competent maintenance, and Publick Encouragements, &c. And shall then shew you what Power *Circa Sacra* the Church of England with great Prudence and Justice allow'd our Princes in the introducing the Reformation, (and which its Constitutions and Canons have since owned) and from the allowance of which Power, our great Church-men then knew there could be *vestigia nulla retrorsum* in the Case of a Prince of any other Religion coming to the Crown.

But I shall at present tell you that as to what I have mention'd to you out of Suarez and that Bishop, altho you need neither now nor at any time to charge your memory with the subtlety of Distinctions, and of the *Propriè* and *minus Propriè* when you are in eager pursuit of the substance of things; you will find in both those Authors what is very substantial about the Doctrine of Dispensing: and what I have cited of their rendring *Dispensing* and *Interpreting* thus Co-incident is *à propos*, and may mind you of Princes being both empow'ed and obliged in Justice in their administration of the executive Power of their Laws to declare or interpret their Religionary Penal Laws as dispensable in relation to particular times and Persons. And you may therefore here call to mind that passage in the Council of Trent, viz. *That on Fryar Adrian's vociferating there about the Pope's dispensing*
being

being an Arbitrary favour, *Verdune* the famous *French* Divine took him down with saying, that it is a fond Perswasion that Dispensing is a mere favour: for it is as good distribute Justice as what is most so. And the Priest sins if he giveth it not; for it is nothing else but a right Interpretation of Law. You may very well suppose that thoughts arising from those words in the Ordination of Bishops, viz. That you have your Authority not to destroy, but to save: not to hurt, but to help, &c. to be so merciful, as not to be remiss: so to administer Discipline, as not to forget Mercy, &c. have formerly inclined our Bishops in the Reigns of King James and King Charles the First to think themselves obliged to interpret and declare the Laws about Church discipline as dispensable, and to dispense with them in the Cases of Mr. *Hildersham* and Mr. *Dod*, as I told you at our last meeting. And can you here see an Act of Parliament that thus settleth the Ordination of Bishops, and which Act not only allows but requires them thus to Interpretari & dispensare in lege, or in an Act of Parliament; and fancy it possible for the King (when as the Act of 37^o H. 8. tells you that Archbishops, Bishops, Archdeacons and other Ecclesiastical Persons have no manner of Jurisdiction Ecclesiastical, but by, under, and from His Royal Majesty) not to be empow'ed to exercise such Jurisdiction?

And I may here add, that when it is declared in the Statute of 1^o Eliz. c. 2. that the Queen's Majesty may ordain such further Ceremonies and Rites as may be most for the advancement of God's Glory, &c. will any one wonder at the Crowns relaxing the Penal Laws about Rites and Ceremonies in the Case of particular Persons; and as *Edward* the 6th (as is known) did in the Case of Bishop *Hooper*? And if you have a mind to see an Act of Parliament, that not only approves the Prince's remitting of his Penal Laws, but what applauds some excess in so doing, I can for that purpose direct you to the Act of 1^o Edw. 6. c. 12. in the beginning of which 'tis said, Nothing being more Godly, more sure, more to be wish'd and desired between a Prince the Supreme Head and Ruler, and the Subjects, whose Governour and Head he is, then on the Prince's part, great Clemency and Indulgency, and rather too much indulgency and remission of his Royal Power and just punishment, then exact Severity and Justice to be shew'd, &c.

But as when we were near the end of our former Conference, you rightly observ'd that many perverse People would be crying out that any lawful Dispensing with the Laws establish'd, was *Contradictio in adjecto*, so I shall now observe to you that any who to the diminishing from a Prince's Character of being just, presume to insinuate it that a Prince's valuing himself on that Character, and yet shewing mercy to some in releasing them from the Bonds and Penalties of some of his Laws, is a *Contradiction*, do appear to me great objects of Compassion in so erring. And for this I shall refer you to the Happy future State of England, where in p. 233. 'tis said that He who separates Mercy from Justice, is unjust to the very name of Justice, and robbeth it of the better half of its signification, leaving its teeth and claws, and taking away its heart and bowels. *Jarchas* the Indian, and Chief of the *Brachmans* in *Philostratus* is brought in finding fault with *Apollonius Tyaneus* and others of the Greeks, for that they confined and apply'd the word *δικαιοσύνη* to those only who do no wrong to one another, and telling them that they were in an error, for saith he among the Chiefest Offices of Justice *χρηστότης* and *ἀγαθότης* together with *φιλευστροφία* ought to be reckon'd up. And *δίκαιοι* and *χρηστοί* just and kind men are convertible terms in *Aristophanes*, and joyn'd both together in *Plutarch*: and *Aristotle* saith, τὸ ὀπιμὲν, Moderation or Clemency is *δίκαιον δίκαιος τίνος βέλτιον*: a piece of justice better than all justice.

And

And you will find Mr. Gregory there cited for relating it in his *Opusc.* That the Mahumetans have another Lord's Prayer, call'd by them the Prayer of Jesus the Son of Mary, and that endeth thus, And let not such a one bear rule over me that will have no Mercy on me, for thy Mercies sake, O thou most merciful.

A. I say *Amen* to that *Petition*; and do at the same time pay my thanks to *Heaven* for that one doth bear rule over me, in whose great *Genius* *Justice* and *Mercy* do appear to the World as the same thing: and whose *Justice* when ever any one shall come to Paint in Story, he will not need to do it in the way of a half-face to hide any defect of *Mercy*: and wherein if any Prince be deficient, his *Historian* will be put to do it in the way I mention'd; and as *Pliny* tells us, *Appelles* drawing the Face of a King who had but one Eye, and intending to conceal that defect, was put upon the Painting him turning his Visage a little away, and so shewing but the one side of his Face: and from whence *Pliny* makes the *Invention* of that way of *Painting* to have come.

But as I have now represented *Justice* and *Mercy* to you to be the same thing, so at some other meeting I shall shew you that *Dispensation* and *Mercy* are the same: And in the mean while I shall tell you that there was a time namely throughout the Reign of Queen *Elizabeth*, and in part of the Reign of King *James* the First, when the Learning about *Dispensations* was not in *England*, Dark learning, but generally understood, and that not only by the Writers of the *Church of England*, but by the *Puritan* Writers: and I shall shew you when this learning went to sleep, and which I account not to have been again awaken'd till in the Conjunction of *Thomas* and *Sorrel's* Case. But when I come to entertain you with the learned *Notions* about it out of some of our *Church of England-Writers*, I believe you will not in the least startle at the thoughts of your Prince's dispensing with disability.

One of those Writers writ of the Subject before *Suarez*, and whose Book I suppose that our Excellent Bishop *Taylor* happen'd not to have read, because I met with no references to it in his *Ductor dubitantium*, and where probably there had been many, had the Bishop read it. The Book speaks the Author to have been profoundly knowing in the *Civil* and *Canon* Law, and not unacquainted with the *Lex terræ*, and one who (I think) made a great figure in the Administration of the *Discipline* of the *Church of England*, and whose great talents might probably cause our great *Churchmen* then to engage him for their *Champion* against some of the *Puritan* Writers, who look'd with an evil eye on the Regal dispensing with disability or incapacity in many of our Clergy-men. And as when of old some of the *English*-understandings were employ'd in the writing of *School-Divinity*, they penetrated as far into the Subtleties of it as those of any Nation, so I may tell you that (in my poor opinion) that Author hath writ of the Learning of *Dispensations* both with all the subtlety and solidity requisite, and more substantially then *Suarez*. I shall lay the Book before you at our next meeting, but shall now tell you, that as to some Points we have been discoursing, he observes that There is a Dispensation call'd of *Justice*, as it were, an Interpretation or Declaration of the true meaning of the Law juxta æquum & bonum: and he cites the Canon Law to prove that Dispensation is a due, for that the Precept of Mercy is common to all. And I may tell you here, that if you will look on your *Durand's Speculum* in his first Volume, where he writes so copiously of Dispensing, his style is, *Dispensatio sive misericordia*.

A. You have taken care enough to make my entertainment in this meeting end with an appetite for another; and the rather for that nothing is

is more pleasant to me then to find an *Historical* account of the *Progress* of any Controverted Point of any *learning* that hath made a *ferment* in Church or State. And tho as the course of Providence hath made the *knowledge* of this *learning* to be the *opus diei*, and so the Ignorance of some, and Malice of others hath made it look'd on as *angry* work, and as *frightful* as a *Comet*, and as odious as if it were to bring us under a *torrid* Zone, yet (I think) your having surrounded the *Nature* of *Dispensation*, with such mild and gentle *Rays* as to represent it to be of the nature of the *Sol justitiæ* with *healing* in its wings, must needs engage the knowing to bid it welcom with a χαῖρε φῶς, and make all their animosities and ferments about it to be soon over.

B. Truly I do not suppose that any *knowing* man can have an aversion against it, and that this Learning *non habet inimicum nisi ignorantem*.

And that you may continue in your judgment of any *ferment* about the *Dispensative* Power being soon over, I can refer you to another *Judgment* of *Parliament*, wherein a great tenderness for this branch of *Prerogative* is shewn, namely in the *Statute* of *Octavo Elizabethæ*, c. 6. and to which that Excellent and Learned Person, and great Ornament of the Law, Sir *Robert Atkins* (as you will find it in *Keble*, Vol. 3.) referring in his *Argument* in *Thomas and Sorrell's Case* saith, 8. *Eliz.* cap. 6. takes notice of *Licence to dispense with such Laws as were pro bono publico*; yet doth not forbid it, but rather compounds the matter.

It hath been the luck of *Dispensation* to meet with an ill name from some of our famous *Writers*, who tell us that there were no such things as *Dispensation* or *Non-obstante* heard of till they came from *Rome* here in the year of our Lord 1240. and that afterward *Kings* learn'd from *Popes* to dispense with their *Laws*, whereas before they caus'd their *Laws* to be observ'd like those of the *Medes and Persians*; as the *Irish Reports* tell you in the *Case* of *Commendams*, and whereupon Mr. *Prynne* on the *Fourth Part* of the *Institutes*, c. 22. treating largely of *Non-obstantes* calls them *Papal Engines*. And our old *Monkish Writers* have been quoted for bestowing the terms of *legum vulnera*, *infames nuncii*, and *repagalum*, &c. on *Dispensations* and *Non-obstantes*.

But I shall at our meeting again shew you that the practice of *Dispensing* may easily be traced to the *Imperial Laws*: and this you may soon find, if you will look on Dr. *Donne's Pseudo-Martyr* that you have by you, and where you may guess at the age of *Dispensations*, by his referring you in p. 40. to the *Divinæ Indulgentiæ*, in the *Digests*, and his telling you out of the *Code* that *Theodosius* and *Valentinian* making a *Law* with a *Non-obstante* did præclude all *Dispensations* which the *Emperors* themselves might grant, in these words, Si cœleste proferatur oraculum, aut divina pragmatica Sanctio.

And if you will look on *Gothofred's Notes* on the *L. Jubeamus. C. De Sacrosanctis Ecclesiis & de rebus & Privilegiis earum*, cited by the Doctor there, you will thus find it in those *Notes*: Cœleste oraculum quid est? Principis dispensatio.

There is another thing I have not had time now to Discourse with you about, and that is of the *Nature* of *Laws in terrorem*, as I intended, and which suitably to the *Wisdom* of a *Father* in menacing a *Child* with cutting off his *Head* if he doth this or that thing, are by the *Pater Patriæ* and the *Estates* of the *Realm* sometimes lawfully made to intimidate men grown childish and vain, by *Sanctions* of *Punishments* not intended to be executed according to the general tenour of such *Laws*. But as what may make for my purpose of shewing you how worthy it is of the *Majesty* of *Princes*

to incorporate *Mercy* with *Justice* in *dispensing* with many particular Persons, and even to the freeing them from the *terror* of *those* Laws in some angry Conjunctions when others were to be affrighted with them, I shall refer you to King *James* his *Proclamation* of *June* the 10th, in the year 1606. and where having mentioned the Religion of the Roman-Catholicks, he saith, *We desire still to make it appear in the whole Course of our Government, that we are far from accounting all those Subjects Disloyal that are that way affected, and that we do DISCRIMINATE of such as be carry'd only with blind Zeal, and such as sin out of Presumption, &c. and therefore as after times must give us tryal of ALL mens behaviour, so must all men expect that their own deserts must be the only measure of their Fortunes at our hands either one way or other: and having before spoke of the Gun-Powder Treason, and the Doctrines of some Priests that might encourage it, and said that thereby there is sufficient Cause to justify the Proceedings of us and our said Parliament in the making and execution of these last and all other former Statutes tending to the same end, it followeth, nevertheless seeing the Sovereign Care appertains to us who have the Sovereign Power of Justice in our hand, and the Supreme Dispensation of Clemency and Moderation of the Severity of our Laws is likewise as proper to us to use, whensoever we shall find it reasonable, the same deserving to be no less allow'd in us (being in our Dominions God's Lieutenant) then it is prais'd in him among whose highest titles it is that his Mercy is above all his Works, &c.*

The King in the beginning of his *Proclamation* having profess'd his Zeal for the Religion of the Church of England by Law Establish'd, and his constant Resolution for the maintenance and defence thereof, said, *Of which our purpose and determination, beside all other our former proceedings (since our Entry into this Kingdom) we have given a new and certain Demonstration by such two Acts as have been passed in this Session of our Parliament, both tending to prevent the Dangers and diminish the number of those who adhering to the Profession of the Church of Rome, are blindly led (together with the Superstition of their Religion) both into some points of Doctrine which cannot consist with the Loyalty of Subjects toward their Prince, and oft-times into direct actions of Conspiracies and Conjurations against the State where, in they live, as hath most notoriously appear'd by the late most horrible and almost incredible Conjuraton, &c. The two Acts there referr'd to are those that you will find in your Statute-Book, Anno tertio Jacobi Regis, cap. 4. An Act for the Discovering and repressing Popish Recusants (and in which the Oath of Allegiance is contain'd) and Cap. 5. An Act to prevent and avoid dangers by Popish Recusants, and whereby Popish Recusants Convict are disabled from bearing Office. But here you see how that wise Prince so soon after so horrid a real Plot did by distinguishing in his Proclamation between the Principles of some Roman-Catholicks and others as to Loyalty, and alluring the Loyal by the avow'd Dispensative Power of his Mercy, and hiding them under the wings of his Mercy from the terror of his Laws and affording to all his Subjects who should afterward behave themselves well, a *Tabula post naufragium* as to the expectation of making up their fortunes, think himself obliged then to cause his Moderation to be known to all men.*

And you may hence take occasion when you think of the many Acts in *terrorem* in the Statute-Book, and where there is no Proportion between the Crime and the Punishment, and in some that seem inflictive of Punishments

ments in the *Case* where men cannot be to any but the *Searcher* of hearts known to be *Criminal* at all (as for example in their owning some *Problematic* Points of the Christian Religion) to consider that most probably the *Wisdom* of the *Government* would not have pass'd them but on the *Supposition* of the *Regal Power* of *dispensing* therein, *expresly* or *tacitly*. You see how the *Laws* commonly call'd *Sanguinary*, have been *tacitly suspended*: and I may tell you, that tho I desire to live no longer then I shall be a *maintainer* of the *internal Communion* due from all *Christians* to all *Christians* as a *part* of that *Holiness* without which no man shall see God; yet I should soon *withdraw* from the *external Communion* of the *Church* of *England*, if it own'd the justness of such *Laws* otherwise then as *in terrorem*, and if it owned the *lawfulness* of putting men to Death for the *Profession* of any *Religionary* Principles, their *liberty* to profess which was *purchased* for them by the *Blood* of their Redeemer. But I need not say more now about cautioning you or any one against the taking offence at any of our *Laws*, *Laws*, through want of *considering* which of them were designedly made for *terror*.

I might here likewise as to many *Acts* about *Trade* that swell the *Statute-Book* apply the Consideration of the *Regal Power* of *dispensing* therein having encouraged our *Ancestors* to perpetuate them as *Laws*.

A. The truth is you now put me in mind how I having long ago spent much time in considering the *Trade* and *Traffick* of our Country, and of other Parts of *Christendom*, and finding that shortly after His late *Majesty's* Restoration, one of his *Ministers* had in a *Publick Speech* intimated it to the *Parliament*, that *His Majesty* had settled a *Council of Trade*, consisting of some of the *Lords* of his *Privy Council*, and of some *Gentlemen* of *Quality* and *Experience*, and of some *Principal Merchants* of the *Principal Companies*, I had the curiosity to look over their *Journals* and their *Advices*, and *Reports* to the King, and there I found somewhat of the same *notion* with yours in one of their *Reports* to His Majesty. For there in one of their *Papers* of *Advice* addressed to the King, taking notice that what they conceived fit to be done for the *advancement* of the *Trade* of the *Realm*, was *Prohibited* by *divers* ancient *Statutes*, they make them *imply* that the thing might be done by the King's *licence* or *dispensing*, and whereupon they thus go on: And therefore finding this *Dispensation* to be your *Majesty's* *Prerogative* preserv'd entire to the *Crown* through so many of your *Royal Progenitors*, we have not thought fit to touch further upon this Matter, as being *humbly confident* that your *Majesty's* *Subjects* shall upon all occasions be indulged the like, if not more ready relief and accommodation for their *Trade* from your *Majesty's* *Royal Grace* and *Bounty*: only because the *Observation* was obvious, that perhaps all former *Parliaments* purposely left this door open to the *People* by the *Grace* of the King to be reliev'd with those *dispensations*, as foreseeing how difficult, if not impossible, or how inconvenient at least it might be altogether to restrain what those *Statutes* prohibited, we could not omit the same in this place, &c.

B. And you have put me in mind how a very Loyal and judicious Gentleman of that *Council of Trade*, (and whom I look on to be as deeply study'd in the business of *Trade* and *Traffick* as any one of the age) was pleas'd once to give me his opinion in Discourse, that a vast number of our *Statutes* made for the *advancement* of *Trade* did really depress it; and he then told me, that the making of one new *Law* against the giving *Alms* to *Beggars* in the *High-way*, would enrich the Nation almost more then all our *old* *Statutes*.

A. I have many times been apt to think so. And considering how great a part of Mankind every where the *Credulous* are, and that the *Beggars*

are a necessary *Tax* upon the *Credulous*; as we must imagine that a great *loss* happens to the well-meaning People in the Nation through the *Profusion* of their Charity to *Paupers* in the High-ways or Streets, so again considering the vast *numbers* of such *Paupers*, and how valuable their *Industry* would be to the Publick, if *Necessity* the mother of *Industry* through their not being relieved in the High-ways or Streets made them advantageous to the Kingdom instead of being *Nuisances* to it, one may easily guess that an *Act* of *Parliament* of that Nature would awaken Trade and Manufacture to a much higher Proportion than our many sleeping *Statutes* can do.

B. Why, then; I must tell you what I told him, namely, that there is such a *Statute* in being, and long ago made, and that the *execution* of this *Statute* hath been in the populous *Suburbs* of our *Metropolis* (the places where *Beggars* do so much swarm) often awaken'd within these *late* years by the *Middlesex-Justices* causing *Printed Papers* to be sent to the *Churchwardens* and *Overseers* of the *Poor* in the respective *Parishes*, and with this *Clause* therein inserted, *viz.* *And for the discouragement of all idle Vagabonds and Vagrants, &c. all Persons are hereby desired and required to forbear to relieve any Beggars at their doors, or in any other kind about the Streets, on pain of suffering the respective Penalties by Law provided against all such Offenders.*

A. I never before heard of this *Penal Law*.

B. You may find it *referr'd* to, and likewise what may shew you how it hath been *tacitly* dispensed with, in my Lord *Hatton's Treatise of Acts of Parliament and the Exposition thereof*, c. 5. Of *Interpretation of Statutes by Equity*: and where he saith, *The Statute of E. 3. ordaineth, That no man upon pain of Imprisonment should give Alms to a valiant Beggar. Yet if one meet with such a one in so cold weather and so light apparel, that if he have no Clothes given him he shall die before he comes to any Town, if a man giveth him apparel, he offends not the Law. For there is an inward dispensation by the bond of Christian Charity and Compassion.*

But since *humane Laws* bind the *Conscience*, we cannot without the *Prince's* tacit *Consent* rationally to be *presumed*, thus give our selves the *Latitude* of an *internal dispensation*, or *relaxation* from the *band* of that his *Law*: So that therefore when ever you *gratify* your own indulgent disposition in *relieving* one in the *Streets*, or *in itinere* whom you look on as one of *God's Poor*, you are at the same time to be sensible of the *Regal dispensative Power* *relieving* your *Conscience*, and *legitimizing* that your intended *Charity* by *Tacit Dispensation*.

A. You have often *referr'd* my *Thoughts* to consider the Nature of the *Prince's Tacit* dispensing. Do you account it to have any great spreading *Influence* on *mens Consciences* here in keeping them both *innocent* and *quiet*?

B. When we meet some other time, I shall shew you the *Universal* influence of this kind it hath among all *Orders* and *Degrees* of our *Prince's Subjects*: and I shall then give you a full view of it.

A. But will you then tell me of *Disability* being thus *tacitly* dispens'd with, and with a *salvo* to *Conscience* as to the *obligation* of *humane Laws*?

B. Yes; in many Cases. I have told you of one already when the *Roman-Catholick Physicians* were *disabled* by an *Act* of *Parliament* in the Reign of *King James the First* from *Practising*, and when the *Regal Tacit Dispensation* proved an effectual *Antidote* to their *Consciences* against mortal *Sin* in the Case. But because you seem to be somewhat *impatient* to know another Case wherein the *Tacit Dispensation* with *disability* did thus operate, I shall give you a *home-case*, by desiring you to recollect how old you were when

when you were first chosen a Parliament man, and then to read Mr. Prynne's Book publish'd A. 1661. and call'd *Minors no Senators, or a brief Discourse proving Infants under 21 years to be incapable in point of Law, &c. of being elected or admitted Members of the High Court of Parliament, &c.* He refers there to Coke's *Institutes* for rendring none eligible to be a Knight, Citizen or Burgess, who is under the age of 21 years: and in p. 5. he saith, the Common Law of England is so exact and curious in the Election of all Officers of an inferior Nature, as Coroners, Verderors, Keepers of Seals for Recognisances, or Statutes Merchant, Constables, Bailiffs, Mayors, Clerks and others, who are eligible by Writs, Charters or Prescription, that it expressly requires every one of them to be idoneum hominem qui melius sciat & possit officium illud intendere, and therefore (saith he) much less ought a Minor to be chosen a Knight, Citizen, or Burgess, &c. and if he is unable to be an Attorney or Proxy to assent for another in any Court of Justice, much more then in a Parliament, the supremest Court. And in p. 24. to the Objection that some Infants under 21 years have been permitted to sit in former Parliaments, he answers, that none ever sate in former Parliaments but only by Connivence, and whose Elections were never question'd, and that some whose Elections were question'd, were ejected.

And now as Bishop Sanderson in his 7th Lecture, viz. *De Legum humanarum Causâ efficiente*, speaking of Laws ceasing to oblige by contrary Custom, makes that contrary Custom to be *nihil aliud quam Conjuncta populi Consensio eam legem ut inutilem observare negligentis, & Consensio principis Observationem ejus non exigentis*; and in his 10th Lecture doth very judiciously distinguish the Prince's Consent about relaxing Subjects from the obligation of a Law into that which is express'd, and that which may rationally be presumed, it was by this latter consent of your Prince so exuberantly indulgent in his Nature, that you were brought off from Sin in the *forum internum*, when you were both Senator and Minor, and when you help'd on the making of Laws to disable others, and who have since made it a question whether the King could expressly or tacitly dispense with the incapacity that by means of your Vote, and perhaps of other Minors, passed to be enacted as a Punishment.

But to speak frankly, you will oblige me now we are so near parting, to tell me of any one learned Man in the Profession of the Laws of any part of Christendom, and particularly of our own Municipal ones, who hath *ex Professo* and argumentatively writ of the Prince's Prerogative of dispensing with a Penal disability in particular Cases, and deny'd it.

A. I did not as to our *Lex terræ* account it *tanti* to set up the Judgment of any one particular man when you have entertain'd me with Judgment of Parliament in the Case. But I am sure you cannot but know how that great Man in that great Case we have referr'd to, I mean my Lord Chief Justice Vaughan in *Thomas and Sorrel's Case*, seems to be of opinion that the King cannot dispense in the Case of Incapacity: He saith, the reason why the King cannot dispense in the Cases of buying Offices and Simoniackal Presentations is because the Persons were made incapable to hold them: And a Person incapable is as a dead Person, and no Person at all as to that wherein he is incapable, &c.

B. Tho that great Man hath not therein as in other Passages in his Argument, discuss'd the Point argumentatively, I shall yet pay so much respect to his opinion, as to give decent Burial to his dead Man. But you see that after he had said, *The Reason why the King cannot dispense, &c. is because the Persons were made incapable to hold them*, he only gives it as a reason of their being incapable, and of the King's not being able to dispense in their

Case, viz. that they are dead Men, *that a Person incapable is as a dead Person*, and whereby he giveth us a *Magisterial gratis dictum*, or a *Petitio Principii* instead of what might deserve the name of a Reason, or what might prove that the King could not *dispense* in the Case of one Politically dead, or one dead in Law. I have formerly told you of the Saying used by *Magerus*, and other Civil Law-writers, that *Mors civilis naturali non æquiparatur nisi in casibus in jure expressis*. And there are Cases enow express'd there, that shew how the Prince who is according to the style of *Seneca*, viz. *Animus Reipublicæ, illa Corpus suum*, and *ille spiritus vitalis quem hæc tot millia trahunt*, and who in the Scripture Phrase is the breath of our Nostrils, can according to the Law of the Land as I told you in the Case of Sir *Walter Raleigh*, animate a Person dead in Law.

And none need question why King *James the Second* cannot thus raise the dead as Queen *Elizabeth* did, and King *James the First*, or our following Princes, and I may say as well as any who went before him. *Infames dicuntur civiliter mortui* is a common Saying, but you see that *Fas est cuius Principi maculosas notas vitiatæ opinionis abstergere* is as common. Thus too *Magerus* tells us, that *Banniti pro mortuis reputantur*, and we know that the *Excommunicate* may in some respect by reason of their temporary disability be termed so too.

And if you will look on the Book call'd *Reformatio legum Ecclesiasticarum*, under the title *De excommunicatione*, you will there in the Chapter of the Denunciation of the *Excommunicate*, find the Minister enjoind to tell the People that they must all abstain from the *Excommunicate Person*, *tanquam à Putri & Projecto membro, &c.* that an *Excommunicate Person* is to be thrown out of the Church as a dead Carcass: but you will there find in the *Formula reconciliationis excommunicatorum* with what tenderness it is said *reum hunc charissimum fratrem membrum assumamus & agnoscamus Communis in Christo nostri corporis: & intimus ut noster affectus in hoc corporis nostri recuperato membro testator sit, &c.* and that the Pastor in the Absolution of that returning *Prodigal* who was dead and is alive again, must in the administration of the King's Ecclesiastical Laws, say *tibi rursus pristinum in Ecclesiâ tuâ locum, & plenum jus restituo.*

Thus too at the end of the *Canons*, A. 1571. you will find the same style of tenderness in Vogue in Queen *Elizabeth's* time that was in *Edward the 6th's*, as likewise of the powerfulness in raising the dead. You see there a Form of the Sentence of *Excommunication*, viz. *Fratres quoniam quicumque profitemur nomen Christi sumus omnes membrum ejusdem corporis, & par est ut unum membrum alterius membri sensu & dolore afficiatur, &c.* And it being afterward mention'd, that the Person having been accused of such a Crime, and having been contumaciously absent, it followeth, the Bishop in God's Name and by his Authority hath *Excommunicated* such a one from the Society of Christ's Church, & *tanquam membrum emortuum amputasse à Christi corpore, &c.* that you may shun his Company: *tamen ut Christiana charitas nos monet, let us pray for him to God who is a merciful God, and who can lapsos etiam à morte revocare.*

And you may take notice of what is said in *Croke 2d*, and *Coke 8th Report*, *Trollop's Case* about the King's Pardon raising the *Excommunicate* from this civil death, and that a man need not be Absolved by the Church if the King Pardons. And thus *Hobart*, *Serle's Case*, p. 294. shews you that after the discharge of a Clerk Convict, he shall never be question'd in the Ecclesiastical Court for deprivation. You may likewise see it in *Coke Inst. 3. Chapter Of Pardons*, The King may Pardon one Convict of Heresie, or of any other offence Punishable by the Ecclesiastical Law. You

You may too in that *Chapter* observe his tenderness for *Prerogative*, where having mention'd that *by the 13th of R. 2. it is provided that no Charter of Pardon for Murther, &c. shall be allow'd, &c. if they be not specify'd in the same Charter, and that before that Statute by the Pardon of all Felonies, Treason was Pardon'd, and so was Murder; and at this day by the pardon of all Felonies, the death of a Man is not pardon'd; he thus goeth on, these are excellent Laws for direction, and for the Peace of the Realm. But it hath been conceiv'd (which we will not question) that the King may DISPENSE with these Laws by a Non-obstante, be it general or special (albeit we find not any such Clauses of Non-obstante but of late times) These Statutes are excellent Instructions for a Religious and Prudent King to follow, but he doth not make them obligatory to him. My Lord Coke then saith, This is to be added that the intention of the said Act, 13. R. 2. was not that the King should grant a Pardon of Murther by express Name in the Charter, but because the whole Parliament conceiv'd that he would never Pardon Murther by special Name for the Causes aforesaid, therefore was that Provision made which was grounded on the Law of God, Quicumque effuderit humanum Sanguinem, fundetur Sanguis illius, &c. Nec aliter expiari potest, nisi per ejus Sanguinem qui alterius Sanguinem effuderit. His Margin there cites Genes. 9. 6. Numb. 35. 33.*

A. But (by the way) do you think then that Sovereign Princes offend the Law of God in Pardoning Murther?

B. I do observe that many presume to censure Kings for so doing, and are superstitiously misguided by thinking that those two places of Scripture refer'd to by my Lord Coke do necessarily make it a sin in Princes to Pardon Murther. But I shall when we meet again shew you the mistake of such therein; and shall shew you that David at that time when the Law of God, and the *lex terræ* was the same thing, (and who had Sworn and would perform it, that he would keep God's righteous Judgments) was not to be censured to have sinned either in the reprieve of Joab who had murdered Amasa, and Abner, and in delaying the Execution of the Law, and leaving it to Solomon his Son, or in the Pardon of Absolon, who had slain his Brother Amnon: and that when the Law saith in Numb. 35. The Murtherer shall surely be put to death, our best Commentators (and out of the Rabbins) say, that this is spoken to the Judges before whom such Causes regularly came, and under the Supreme Power and by authority thereof judged those Causes; and that tho the Judges who were subordinate to the Supreme Power were to take no Satisfaction for the life of a Murtherer, but were by that Law to Condemn him, yet that it followeth not that the Supreme Power who made them Judges, might not in some Cases Reprieve and Pardon some whom they had Condemned.

A. I shall be glad to hear you discourse of this, and the rather for that 'tis so Customary to many when they find the Prince exercising this Prerogative of Pardoning, to be apt too much to busy their heads with those two places in the Old Testament, to their neglect of others there, viz. Exod. 22. 28. Prov. 24. 21. Eccles. 10. 20. and of Acts 23. 5. in the New, and likewise there of Rom. 13. 2. 5. 1. St. Peter 2. 17. and from whence they might Collect their moral offices of not doing, or speaking, or thinking dishonourably of the Lord's annointed, and of paying honour and obedience to his Sovereign Power, and that for Conscience sake.

But in the mean time give me leave à propos to ask you if ever you heard of any one of the Judges of the Realm in the Reign of our former Princes, that gave his judgment for the allowance of the King's Pardon of disability? Shew me but that, and I shall not be affrighted with my Lord Ch. Justice Vaughan's Simoniackal Dead man.

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B. I shall tell you of a *Case* that was well enough known to him, and which you may find in *Croke* 3d, p. 55. *Sir John Bennet, v. Dr. Easedale*: where you may see that *Sir John Bennet* being fined 20000 l. for *Bribery*, by the *Star-Chamber*, and *Censured to be Imprison'd*, and made incapable of any Office of *Judicature*: and that he having a *Pardon* from the King reciting the *Bribery* and *Offences* mention'd in the *Decree*, and all *Penalties* and *Punishments* by reason thereof, and all *Disabilities* and *Incapacities*, and all things concerning the said *Sentence* except the *Fine* of 20000 l. and the *Court of Star-Chamber* having the advice of all the *Judges* relating to the *Decree* and *Pardon*, it was resolv'd by them all, that this *Pardon* hath taken away all force of the *Sentence* in the *Star-Chamber*, except for the *Fine* of 20000 l. and all *Disabilities* are discharged thereby.

That *Lord Chief Justice* knew that (as it was set down in that *Chapter of Pardons*, *Inst.* 3.) the *King's Pardon* extends to all *Suits* in the *Star-Chamber*: and he knew of what was mention'd, *Inst.* 4. *Chap.* 1. Of the *High Court of Parliament*, viz. Of a *Pardon* to the *Lord Latimer* of a *Judgment* in *Parliament*: and he knew that by his own and other *Justices of Assize* going into their own *Countrys* in the *Execution* of their *Offices* by vertue of the *King's Non-obstante* to the *Statutes* of 8. R. 2. c. 2. 3. H. 8. c. 24. himself and as many as went *Judges of Assize* so into their own *Countrys*, gave *Judgment* by so doing for the *Prerogative* of dispensing with such *Acts of Parliament*: and he likewise knew that (as it is well express'd in *The Answer of King Charles the First to the Declaration of both Houses of Parliament concerning the Commission of array*, A. 1642.) *An Act of Parliament* in any *Matter* tho mistaken, being assented to by the *King* and his two *Houses*, is equally binding (as having equal *Authority*) with an *Act* introductive of a new *Law*, and that therefore *Acts of Parliament* having so particularly declared the justness of the *Prerogative's* dispensing with *disability*, no *magna nomina* of any particular *Sages* of the *Law* in otherwise opining, can expect any deference.

And if you will consider what my *Lord Coke* in that *Chapter of Pardons* hath mention'd of the operation of *Prerogative* over the *dead in Law*, and consider the *President* he refers to, viz. *Pasch.* 22. E. 3. tit. *Cor.* 239. *Coram Rege, Quidam indictatus de Felonia, & inde Culp. dicit quod Rex eum Conduxit, & inde producit Chartam, quod Rex eum Conduxit in Vasc. in exercitu, & dicta Charta allocata fuit per Curiam*; and there see his opinion grounded on it, that if a man be *Indicted* of *Felony*, and found *Guilty*, and being in *Prison*, the *King* may under the *Great Seal*, reciting the *Offence*, &c. retain him to serve in his *Wars* on this side or beyond the *Seas*: this *Charter* he may *Plead*, and the *Court* ought to allow it; I believe you will be of *Opinion* that any one who will desire any more *Presidents* for the *Commanding* the services of *dead men* ought to be sent for one to the *REHEARSAL*, viz. that of *Arise you dead Men*, and get ye about your *business*.

A. Well Sir: As for this *objected Dead-man*, *requiescat in Pace*. I have done with him: and since from some things you have said, I gather that the dispensing with *disability* by *Roman Emperors* and *Popes* of *Rome*, did never by any *ferment* disturb their *Governments*; and moreover, since no men of sense here have ever troubled themselves or the *Government* with any vexatious *Question* about the *King's Power* in discharging a man from a *Præmunire*, but not from a *Penal disability* incurr'd, whereas by a *Præmunire* (as my *Lord Coke* shews us, *Inst.* 3. c. 54.) men are put out of the *Protection* of the *King*, and *DISABLED* to have any *Action* or *Remedy* by the *King's Law* or the *Kings Writs*, and exposed to many other dreadful

ful *Punishments*: I do now begin to wonder whence it is that the mistake in some mens Minds hath come about a *Penal* disability being so unremovable. And thus I think too one might wonder how such as will allow the King's *Pardon* to discharge one from an *Excommunicatio minor* or *major*, do look on *disability* as such an *anathematizing* thing as is not to be touch'd or that cannot be quell'd by *Prerogative*. Can you guess whence it is that men have imbibed this mistaken fancy?

B. I shall frankly tell you what I think hath occasion'd it. It is most natural to all men in arguing to take the shortest course they can to bring their Adversaries to what is reputed by all to be an *absurdity*; and there being some *Disabilities* that the *Law-Books* mention wherein *Property* is concern'd, and wherein it appears as an *absurd* thing in any one who should say that they could be *dispens'd* with, and as for Example, what the *Νομολέξις* tells us of *Disability*, where a man is not of whole Memory, which disables him so that his Heir shall take advantage of his *Disability* after his death: and where he passeth any Estate out of him it may be after his death *disanull'd* by his Heir, and which cannot be *disanull'd* by himself during his life. For it is a *Maxim* of Law, That a man of full Age shall never be receiv'd to disable his own Person: and for which he cites Sir E. Coke. And he had before spoke of *Disability* by the Persons own Act, which is, if I bind my self that upon surrender of a Lease, I will grant a new Estate to the Lessee, and afterward I grant over my reversion, in this Case tho I afterward repurchase the reversion, yet I have forfeited my Obligation because I was once disabled to perform it, Coke lib. 5. f. 21.

Thus likewise it appearing to be against reason that men should be made Judges who are under natural incapacities to exercise Jurisdiction, (and such as *Vantius* in his *Book de Nullitatibus* instancing in, as, *Surdus*, *mutus*, *perpetuò furiosus*, *impubes*, saith, that *quoniam defectus & incapacitas istorum à naturâ ipsâ provenit, ideo à quoquam etiam Supremo Principe suppleri non poterit (quia etiam Imperatori tollere non licet quæ juris naturalis sunt)* an asserting of the Power of *Prerogative* in dispensing with such incapacity would be *absurd*; and it would shew somewhat of *læsa Principia* and of natural defects and incapacities in one who did rear *Suppositions* of a Prince's intending to employ such *Uncapables*: and however nothing appearing to the first thought more ridiculous then a dispensing with incapacity of this kind, many may be so apt to think that incapacities enacted by Penal positive Laws, (and by such Laws perhaps as were made *in terrorem*) cannot be *dispensed* with.

But in fine, when we meet hereafter, I shall give occasion to both our thoughts for a higher flight, then they had in that poor low Question, Can the King dispense with Penal Disability? and I shall shew you that where the King can as to any particular man relax the bond of his Law, let the most penetrating Wisdom of Men or Angels be employ'd in the settlement and invention of the most terrible Penalties to guard the Law, the Person so dispens'd with is *ipso facto* and *ipso jure* freed from them all. He by being exempted from the Obligation of that Law is as innocent and free from any Sin by the transgression of it, as the Child unborn. The Dispensation hath intercepted all the Penalties; hath absolv'd him *à culpâ*, and therefore *à pœna*, and if you punish him, you punish an innocent Person.

A. You will then make a happy riddance of the *vexata quæstio* of disability, if you have not done it already.

B. But now Sir, by WAY of RECOLLECTION as to what hath pass'd between us, either at this Conference or the other; if any thing occurs to your thoughts, by me either obscurely spoken (and which you would wish

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better illustrated) or what may seem in the least to reflect on our *Laws*, or on the *Religion* of the *Church of England* by *Law establish'd*, I do most earnestly conjure you now to name it to me. It is possible that for a Month or two's time, we may not meet again, and therefore I shall be glad that our parting now may be without any offence given or taken, as to any of these Matters premised, and in order to which, that while what hath passed between us is fresh in both our Memories, any misunderstanding therein may be prevented. And I yet further give you the liberty in case any thing of the nature aforesaid, or of what nature soever shall occur to your thoughts after we are parted which we have discoursed of, and which you would wish better consider'd, that you would when we meet again freely impart it to me, and when if you can shew me that I in any thing have erred, I shall shew you my readiness not to persevere therein, and so we shall be both gainers, you will gain the *Victory* and I the *Truth*.

A. I am sure I cannot oblige you more then by making use of the freedom you have offered me, as I should find occasion so to do: and for which at present I find but little. I was during our Discourse of the *Interpretations* of the *Oath of Supremacy* afraid that you would have left some great words in it that relate to *no Foreign Prince or Prelate having any Jurisdiction here Ecclesiastical or Spiritual, &c.* under some clouds of doubtfulness, and thereby have seem'd to derogate from the honour of the *Oath*, till I found that you both asserted the honour of the *Oath* and of the *Government* too by shewing it from the *Sentiments* of my Lord Primate *Bramhal*, and otherwise that *Co-active Jurisdiction* was thereby only meant.

B. I must caution you with a *Nota bene* to keep in your mind what I have both positively and argumentatively told you in obviating your scruples about the *Oath*, and of the *Regal Power* of interpreting making the Coast of the *Oath* so clear to you, and how I have supported the honour of the *English Consciences* of all considerate Persons of the *Church of Rome* in *Harry the 8th's* time, and of the *Church of England* in *Edward the 6th's*, by shewing you that their sense of the *Bishop of Rome's* having here *NO Jurisdiction*, was of *no Independent Coactive Jurisdiction*, when they took the old *Oath of Supremacy*, and likewise of those of the *Church of England*, who in *Queen Elizabeth's* time and ever since took the new one. And I need not tell you again that at the time of the making of the *Statute of 37^o of H. 8.* and of the *Revival* of it by *Queen Eliz.* (and wherein it was declared that *Archbishops, Bishops, &c. have NO manner of Jurisdiction Ecclesiastical but by, under and from His Royal Majesty*) both *Harry the 8th*, and that *Queen*, and the judicious in the *Clergy* of each knew that as to their *Potestas Ordinis* which by virtue of their Function they have to Preach, and give the *Sacrament*, and give *Orders, &c.* it was derived from *Christ* to the *Apostles* and their *Successors*, and that so likewise was the *Potestas Jurisdictionis in foro interno*, and that therefore none needed to suppose that either by *Harry the 8th's Oath* or *Queen Elizabeth's*, in the words of *no foreign Prelates* having here any *Jurisdiction, &c.* any Power the Pope could justly claim as a *Successor* to the *Apostles* was impeach'd.

And no doubt but *Harry the 8th* being by that *Statute* declared to be but a *Lay-man*, no men of sense construed that *Statute* to give him the exercise of any *Jurisdiction*, or Power of the Keys *in foro interno*, as a *Successor* of the *Apostles*. The old *Distinction* of *Bracton*, l. i. c. 8. that King's cannot Excommunicate *ministerialiter* (because they are *Lay-men*) but may do it *authoritative* by appointing others to do it, gave Satisfaction in *Harry the 8th's* time, and might had it been thought of in *Queen Elizabeth's* Reign have sav'd the labour of the *Interpretation* in the

Admonition in removing the ferment that the *Oath* occasion'd among Protestant Scruplers.

But tho the *Preamble* of the *Admonition* referr'd to some Protestant Clergy-men as the Scruplers, yet the following words, *viz.* That her Majesty would that all her loving Subjects should understand that nothing was, is, or shall be meant or intended by the same Oath, &c. shew her Pious design of *Complaisance* as to the Consciences of her *Catholick* as well as Protestant Subjects, and whose freedom from Imposition of ambiguous or otherwise unlawful Oaths she knew was purchased for both of them alike by the *Blood of Christ*. And you know I referr'd you to, Sir John Winter's *Observations on the Oath of Supremacy*, as representing the Oath by the help of Queen Elizabeth's Interpretation in the *Admonition*, and of the Enacting of that Interpretation in Parliament, and of the Interpretation in the 37th Article, as lawful to be taken, tho possibly inexpedient on the account of Scandal, and likewise to another Roman-Catholick Writer, who on the account of those Interpretations, thought it might both lawfully and without Scandal be taken. And you and others who think that Oath of importance for the securing the Peace of the Government, may thank the Prerogative of Regal Interpretation for supplying the Lamp of it with the Oil that hath made it last so long, and which otherwise would soon have gone out in a snuff, as I shew'd you by the offence that was taken at it at home and abroad when it was first set up, and which now may perhaps help to illuminate the English World in the measures of Loyalty so long as the Sun and Moon endure: that is, if you suppose that the use of Oaths would endure so long. But, *Dii meliora*.

And it here coming into my mind that you in your somewhat airy way of discoursing of the Oath, resembled it to a tender-sided Ship girdled with so many interpretations, I shall take occasion further to impress it on your thoughts, that it is still *THE SAME OATH*, tho partaking of all those Interpretations, and as we say of *eadem navis toties refecta*: and the several interpretations are not by you to be resembled to girdlings, but to its main inward beams and timbers that are become parts of it. Moreover you know that a girdled Ship by reason of the incompactness of its adventitious parts with the other, cannot last the fourth part of the time that another will. But you see how long this Oath hath continued, and riding triumphantly in the Sea of time, hath too carried out all its Guns in Stormy weather, and made the Usurp'd Power of the Court of Rome strike Sail to our Princes.

Yet I shall here take occasion from my having just now minded you of the Interpretations of the Oath inclining Sir John Winter and the other Roman-Catholick to judge of it as they did, to tell you that I have often wish'd that in the times of the three last Reigns the Power of Interpretation had further exerted it self in the further clearing of any thing in that Oath and in the Oath of Allegiance at which offence was by so many taken, however by the Oaths not given: and that such Interpretations had been approved in Parliament, and particularly that the Interpretation of the word *HERETICAL* in the Oath of Allegiance, as being meant of Contrary to the Word of God, had brought all our Roman-Catholick Brethren to the taking of that Oath, as I told you that F. Cressy thought it would have done, and who said that he believed that that was the sense intended by King James in the word *heretical*.

And I shall be glad if those Interpretations relating to the Oath of Supremacy which succeeded those that Sir John Winter and the other Roman-Catholick took notice of, may in the event Conduce to render it more acceptable

table to others of them : and the rather for that it is apparent that all the *Interpretations* are *Consistent* with the *Oath*, and with *one another*, as from what I have spoken you may Collect. But by so many other Pious and Learned Roman-Catholicks appearing not to be of the opinion that the *Interpretations* of the *Oath* mention'd by those *two* Writers, may legitimate the taking of it, I have long wish'd to the *Oath* all the additional clearness that Law could give it, and that they would wish given who were required to take it. And as one *Doctor's* opinion for the justness of a *Litigants Cause* hath on his being cast in it, been allow'd to save him from being as a *Calumnious* and rash *litigator* condemned in Expences, thus so great a *Master* in our *Israel* and *Vindicator* of our *Church* from *Schism*, as Archbishop *Bramhal* having given his *Opinion* about the *Oath* (as I told you) namely as to what related to the *King's Power* in *Spirituals*, and to no foreign *Prelate* having any *Spiritual Jurisdiction* here, viz. *This might have been express'd in words less liable to Exception*, I shall censure no man as a *Calumniator* of the *Oath* who shall wish that any lawful *Interpretation* may make those words *less liable to Exception*.

Sir *John Winter* (as I told you) having mention'd the *Explanations* not being known to all, and their intricacy and the constant tendring of the *Oath* for so many years without the aforesaid *Explanation* as likely to give just cause of *Scandal*, &c. I must tell you I like not his words of the *GIVING* just cause of *Scandal*; but what I have shew'd you of many passages about the *Explanations* which were not observ'd by him, and particularly of the 37th *Article* affording only to the *Clergy* a more favourable interpretation (and which was enacted as to them in 13^o *Eliz.*) and of the *Canons* of King *James* first extending the benefit of that *Interpretation* to the *Layety*, and of the *Canons* of King *Charles the First* further explaining the 37th *Article*, may justly incline you to wish that the sense of the *Oath* did *Primâ facie* appear as liquid to all as it now doth to us two.

And I shall here take occasion for the propping up the interpretation relating to the *Oath* made by those *two* Princes in their *Canons*, to tell you that as you accounted King *James* his *Interpretation* as good as Queen *Elizabeth's*, so you may account that in the *Canons* of King *Charles the First*, as good as that in those of King *James*; for that tho it is said by some that the *Canons* of King *Charles the First* were damned by the *Act* of 13^o *Car. 2. c. 12.* yet the truth is, that that *Act* leaves them in *statu quo*, and the last *Proviso* in it doth only express those *Canons* not being confirm'd by it. Nor (in my judgment) did they need any *Confirmation* from it : for that (according to my Lord Chief Justice *Vaughan's* Opinion that I have cited to you) a lawful *Canon* is the *Law of the Kingdom* as well as an *Act of Parliament* : and the Consideration of this may shew you, that as Queen *Elizabeth's* *Interpretation* in *The Admonition* was perpetuated by the Ensuing *Parliamentary* Approbation thereof, so the interpretations of those Princes in those their *Canons* confirm'd for them, their *Heirs* and *Successors*, are now binding to you; and I pray God to incline you to keep this your *Solemn Oath* according to these *interpretations* of it.

A. I thank you for this your *serious* and *Christian* wish, and do give you my hearty thanks for what you have discours'd to me of the many *Interpretations* relating to the *Oath*, and the rendring them so consistent with it, and by means whereof I am sensible that the *Oath* hath become more then *res unius ætatis*, and that without them it would not have been so much : and by which both the *credit* of the *Oath*, and the quiet of the *Consciences* of the *Takers* of it have been preserv'd. And I am glad that the task of *enumerating* them all hath happen'd thus to fall into your hands, and that therein

therein you have not (as they say of young *Conjurers* raising *Spirits* that they cannot *lay*) occasion'd any doubts in me about the Oath but what you have fairly and fully satisfy'd. And indeed you have *laid* some doubts that the *Two Roman-Catholick Writers* raising them, happen'd not to lay. Throwing therefore by, any *Thoughts* and *Expressions* of mine of that nature which you censured as *airy* (and as to which I submit to your reproof) I shall prepare my mind with a decent temper both of *delight* and Pious *dread* to contemplate my Oath as now set before me, and as containing in it that *clearness*, and that *Majesty* that may excite both those Passions in me, and the *real* view of which I may some way compare to that in vision, *Ezekiel's terrible crystal*.

B. Long may you live in this temper. I remember I have somewhere read it, that the Oath by which the *Cardinals* are bound to the maintenance of the Church-Privileges is drawn in such clear and powerful words, that *Baronius* calls it *terribile Juramentum*, and saith, that *the only remembring of it inflicts a horror upon his Mind, and a trembling upon his Body*. And I doubt not but when I shall at our next meeting discourse with you about our obligation from the *Promissory* part of the Oath that relates to the *assistance* and *defence* of the *Regal Rights* and *Privileges*, you will think that every *Taker* of it, ought to have some such sense of his remembring it, as *Baronius* had about his *terrible Oath*.

A. But to go on according to the freedom you gave me, I remember you told me that you would not trouble me with any *Notions* or *Moot Points* about the Power of *Interpreting* Acts of *Parliament*, and about which you cited Sir *Christopher Hatton's* Book Of *Acts of Parliament and their Exposition*: but I remember you have *Sparsim* variously spoke of it; and you mention'd to me what King *Charles the First* told both Houses shortly after the granting the *Petition of Right*, that *to the Judges only under him the Interpretation of the Laws belong'd, and that none of the Houses of Parliament, joint or separate either could make or declare a Law without his Consent*. I suppose you intend here to lodge no *Snake* in the *grass* of this *Regal* Power of interpretation, whereby we may be *interpreted* out of our *Magna Charta* and the *Petition of Right*, and out of our *Religion*, or *Property*.

B. Your *Supposal* doth but right to my intentions. I have referr'd you only to *Facts*, and leave you to make a *due* use of them, and shall when we meet again shew you further why I have thus referr'd you to these *Facts* of the *Regal* interpretation: And in the mean time you may take notice; that as to what I have mentioned as a *Notion* out of the Lord Chancellor *Hatton*, (of which the intent and substance was, *That if all the Parliament were voluntarily assembled again and not by Writ, Eorum non esset interpretari dubium Statutum*, as the words are in the *Table* of his *Book*, Chap. 4. and with which the *Chapter* agrees) I told you I would not trouble you with it, and you may give it its *transeat* as a kind of curious *impossible* Case. Nor need you *amuse* your self about any Consequences by me meant in what I told you of King *Charles the First*, telling the three Estates as they were *feasting* themselves with the noble *Concessions* of the *Petition of Right*. I know nothing asserted by my Lord *Coke* in *Inst.* 4. Chap. 1. Of the *High and Honourable Court of Parliament*, but wherein I own my agreeing with him, and particularly as to what he speaks of *Judicature*. And I doubt not but every one accounts that what he said *Inst.* 3. c. 73. was very *Orthodox*, viz. *NOTE, Proclamations are of great force, which are grounded upon the Laws of the Realm*. Nor considering the *exuberance* of that great thing call'd *bona fides* that is to be expected from Princes, need any man fear that there

will be an Exposition of *abrogamus* for *statuimus* in any of the Declaratory Proclamations that ours shall make.

But because you have named *Magna Charta*, and the *Petition of Right*, I shall take occasion to cite to you a very popular Authority to shew you that any Proclamations our English Monarchs shall make for the Dispensing with Penal Religious Laws, will be but Declaratory of *Magna Charta*, and of the *Petition of Right*. You know we have often spoke of the Arguments in the Parliament of 40. made by Mr. Bagshaw, who was *Pars magna* of the Faction then regnant, and by which those Arguments of his were much celebrated. You may find some account of his Character in Heylin's History of Archbishop Laud, who mentions his being chosen Reader for the Lent Vacation by the Middle-Temple in the year 1639. And he in his First Argument, viz. Concerning the Canons, p. 11. saith, Liberty of Religion and Conscience are (as I take it) within the words of *MAGNA CHARTA* granted to me as mine Inheritance, Cap. 29. *Nullus liber homo imprisonetur aut disseisetur de libertatibus, vel liberis Consuetudinibus suis.* And Liberty of Conscience is the greatest Liberty. It is by a necessary Consequence and deduction within the words *imprisonetur*. For put the Case that the Clergy make Canons to which I never assented, and I break these Canons, whereupon I am Excommunicated, and upon a Significavit by the Bishop, my Body is taken and imprison'd by a Writ de excommunicato Capiendo, now shall I lie in Prison all the days of my life, and shall never be deliver'd by a Cautione admittenda, unless I will come in and parere mandatis Ecclesiæ, which are point blank against my Conscience. And he had before said, A Comparatis: by an Argument à minori ad majus; if Property of Goods cannot be taken from me without my assent in Parliament, which is the fundamental Law of the Land, and so declared in the *Petition of Right*, why then Property and Liberty of Conscience which is much greater, as much as *bona animi* are above *bona fortunæ*, cannot be taken from me without my assent.

This it seems pass'd as Currant Coin for Judgment of Parliament in behalf of Liberty of Conscience, in the Conjunction of 41, the year in which his Book was Printed: and if it were so then allowable, you may well think that a Prince's owning the Religion that flourish'd here in the time of *Magna charta* (and which inspired the Virtue that produced *Magna Charta*) and indulging some others of the same Religion to profess it without Punishment, is not likely to occasion any durable ferment.

And what I have here referr'd to concerning the *Petition of Right*, minds me of the great effort of Pious zeal in our famous Bishop Hall, and his laudably making use of the Popularity he had among the Protestants in sending a Letter to the House of Commons, April the 28th, 1628. during the great ferment about that Petition, and in which he gives so much fatherly and Prudent advice to the great Agonists for Property, that they should consider when they were at the end of their race, and then to sit down and rest. He hath in it these tender Expressions, Gentlemen, For God's sake be wise in your well-meant zeal, and our Liberties and Proprieties are sufficiently declared to be sure and legal, &c. let us not in suspicion of Evils that may be cast our selves into present confusion. If you love your selves and your Country, remit something of your own terms. And since the Substance is yielded by your noble Patriots, stand not too rigorously upon Points of Circumstance. Fear not to trust a good King, who after the strict Laws made, must be trusted with the Execution, &c. relent or farewell welfare.

You may hence easily imagine how passionately that good Bishop would have been concerned if he had then seen among the Patriots any unquenchable heats about the not trusting the King with the Executive Power of

Penal Laws, and Laws in terrorem, and such Laws as Mr. Glanvil in the Month after the Date of the Bishop's Letter, said in a full Committee of both Houses, That the Commons must and ever will acknowledge that it is in His Majesty's ABSOLUTE and undoubted Power to grant Dispensations in, as I told you.

In God's Name, often think of that great *Patriotly* saying of Tully so often with just Applause cited by Sir E. Coke, *Major hæreditas venit uni-cuique nostrum à jure & legibus quam à parentibus*: and you may account him a *Prophane* Person who *despiset* his *Birth-right* given him by the Law. And pity any one who speaking of his *Property*, doth not know this to be the meaning of it, namely that *it is the highest Right he hath or can have to any thing, and which is no way depending upon another man's Courtesie.* And consider, that as you have a *Property* in your *Chattels* and *Hereditaments*, so you have in your *Religion*.

Think often with honour of our *Ancestors*, who by so many *Acts of Parliament*, and lawful *Canons* and *Constitutions* since the *Reformation*, provided for the securing your *Property* in your *Religion*; and remember how binding the very *declarative* Laws about it are.

Cast your Eye with Pleasure about the Realm, and see if you can find any one who fears that any one will ever move in *Parliament* for leave to bring in any *Bill* to take away the least part of your *Property* in your *Religion*. But then consider how Savage a thing it is in any to take excessive delight in the Execution of *Penal Laws*. *Ferus est qui fruitur pœnâ*: and remember too that your *Prince* hath a *Property* in the *Executive* part of the Law, and in *distributive* Justice and in shewing *Mercy*. And when you hear any one telling you of a *Snake in the grass* of the *Prince's* dispensing with *Penal Laws*, and that therefore there may be danger of your *Prince's* dispensing in Laws that are *beneficial*; you may tell him of the notorious *Non-sequitur*, and that you have a *Property* in not being punish'd, and in having the benefit of the *Rule* as to *favourable* Statutes, being made more so by interpretation: *Favores sunt ampliandi*, and on the contrary as to *Penal* ones that *odiosa restringi* convenit. And so to any such impertinent Objecter you may say that the voice or sound of his *Snake*, and the *Goose* are all one.

But consider that since you have so much cause to depend on the glorious and consummate justice inherent in the nature of our great Monarch for his defending you in the security of all the *Declaratory* Acts of *Parliament* that maintain your very *Property* in your *Religion*; both *Justice* and *Common Ingenuity* call upon you to own his Power of *Dispensing* (and even with *disability*) for which I have shewn you so many clear and incontestable declarative *Judgments* of *Parliament*, and shall direct you to more when we meet again.

And let me tell you that you ought to have the greater *tenderness* for this *Prerogative* of our *Prince*; for that in his *Administration* of it, he hath in some Points shewn a greater *tenderness* to his *Laws* and *People* than our *Princes* since the *Reformation* have done. You may remember I shew'd you how *Queen Elizabeth* and *King James* did by their *Authority* out of *Parliament*, *MAKE* things *Penal* by *Disability* that were not so by any Law in being, and therefore you may the less wonder when you see your *Prince* dispensing with it, and thereby preventing the Punishment of it, and sometimes and in some Cases pardoning it.

A. I shall carefully take notice of all these Matters wherein you have caution'd me: but am here occasionally on the account of some things you said about the *Interpretation* and the *Acquittal* from Penalties in the *Queen's* *Admonition* being perpetuated by their being declared good in *Parliament*,
to

to ask you if you do not account that *Dispensations* or such *Interpretations* of the Prince by his own single Authority, may be made to continue good in following Reigns ?

B. I do not in the least doubt but they may ; and I shall hereafter evince the thing to you : but shall at present out of a *Manuscript Report* I have of the great Case of *Thomas and Sorrell*, tell you that by one of the great Council who argued in it, it was asserted with great Learning, *That the Non-obstante in that Case remain'd good after the King's death. That tho Acts the King doth in his Natural Capacity determine by his death, as making of Judges, &c. (for those referr to his Natural Will) yet things done in his Royal Capacity as King, do not determine by his death : as a License to alien in Mortmain in one King's time serves in anothers ; and the Reason is when the Subject is once exempt out of the Restraint of the Act he is ever exempt, unless the Exemption be limited, Coke 1. Inst. 52. 6. If the Lessor licence his Lessee that is restrain'd, by Condition not to Alien, tho the Lessor die, the licence shall serve the Lessee to alien, and is not determin'd by the Lessor's death. And in this Point he cited Trin. 2. Jac. C. B. Rot. 2835. Wright versus Radcliffe, and Trin. 2. Jac. Norris v. Mason. C. B. as Cases adjudged in this point.*

And I shall then shew you how the same thing was then by others asserted : but you may now for this purpose remember how the instances I have given you of Queen *Elizabeth's* Parliaments approving and declaring to be good, what she did of this kind, and the instances of what others of our Princes did by their own Authority and out of Parliament being valid, and being afterward approved in Parliament, have supported the extent of the Regal Authority of this kind, as to point of time.

But because according to the Rule of *Unumquodque dissolvitur eo modo quo colligatur*, many *Indulgences*, and *Injunctions* and *Dispensations* being revocable by Kings themselves and by their Successors, and because declaratory Acts of Parliament cannot be repeal'd but by other Acts, common Prudence doth suggest it to all to endeavour the perpetuating to themselves by the Legislative Power what they account beneficial. And if you will, you may use the term of having it confirm'd by that Power ; that is, if you will allow it to have been firm before, you may call it confirm'd by the Prince, and the three Estates afterward enacting it, and making its firmness perpetual. And this is the thing I aim'd at in what you might take for a Criticism when I said, *that the 39 Articles owed no Confirmation nor Authority to the Act of the 13th of Eliz.*

A. I know the reason of your cautious speaking here about a tender Point. You accounting even every Declaratory Judgment of Parliament for our Religion to be a Treasure, and having often said that you would allow some Roman-Catholicks to mock on in calling our Religion a Parliamentary Religion, did (I judge) design to do honour to our Religion as well as to our Prince's, in shewing that it was here orderly establish'd by God's Vicegerents, before it was by the Deputies of the People, or the *Magnates Regni*.

B. You guess right at my meaning in this way to salve *Phænomena*. And if you will look on a Book Printed in Oxford, A. 1645. entituled *Parliaments Power in Laws for Religion, or an Answer to that old and groundless Calumny of the Papists nick-naming the Religion of the Church of England by the name of a Parliamentary Religion, &c.* you will find the Fact in this Point clearly deduced through the course of our Laws and Constitutions in a long series temporum from the Reign of Harry the 8th downward, and for the honour of our Kings and of the Church and the Reformation ; and the measures I have taken in our discourse have been suitable to those of the judicious and learned Author of that Book.

A. Well

A. Well Sir : we have had a great deal of *frank* Discourse, and I will now take the freedom to put one *Question* more to you. You have entertain'd me with the several *Interpretations* of our *Oath*, and have shew'd me how the obligatoriness of them all hath been perpetuated : and you have likewise *salved* the *Phænomena* in the *Justice* of the *Government* as to the *Laws in terrorem*. But you know the Story of one who being Lord of a place did leave a *Pit* long open too near the *High-way*, and who at Night erected Lights about it to prevent its being mischievous : and he afterward, hearing that sometimes poor Blind men who were Travellers fell into it and that at other times by various accidents the *Lights* were not helpful to other Passengers, as being took away, or going out too soon ; and he therefore at last very fairly removed both his *Nuisance* and *Lights* together. And now may it not be wish'd that the *Prince* and the three Estates would *remove* the *Laws* about our *Oaths* and the *Interpretations* too, and so likewise all the *Laws in terrorem*, (among which I suppose you reckon the *Test-Acts*) at which so many have taken offence ?

B. You may easily guess that till we have both of us at another meeting discours'd of the *Obligation* resulting from the *Promissory* part of the *Oath*, I will not engage your thoughts in any matter of *Controversie* that may in the least perplex them. But as soon as we have fully discours'd that, I shall frankly give you my thoughts at large relating to the question about *Repealing* of the *Test-Acts* in a Parliamentary manner : but do at present wholly forbear to mention what I think thereof. And I have before told you my judgment of the likelihood of the continuance of our great *Oath* as a great *luminary* that may perhaps enlighten our *English* World in the measures of *Loyalty* to the end of time ; and as I have told you the *Oath* giveth no offence to the *Considerate*, so I will hope none will be taken at it.

But I must here tell you, that I have a greater veneration for the *Oath*, because I look on the serious *Consideration* of the *assertory* part of it as likely to be very *Instrumental* in allaying the ferment we have been speaking of.

A. God grant it may be so.

B. You remember what I hinted to you about the *Clause* whereby you testify'd and declared that the King is the only Supreme Governour of this Realm as well in all *Spiritual* or *Ecclesiastical* things or *Causes* as *Temporal*, (and from whence it follow'd by way of natural Consequence, that no foreign Prince, &c. hath any Jurisdiction within this Realm) being the *Corner-stone* on which the great And therefore, I mean, your forsaking foreign Jurisdiction was built. And I assure you that the same *first Declaration* doth bind you to the like AND THEREFORE to renounce the belief of any *Power* on *Earth* being able to dissolve your King's right of *Commanding* your Obedience, and your *Obligation* to obey him.

And indeed if I had produced to you no *Judgment* of *Parliament* for the purpose I have done but that which is contain'd in the *assertory* part of the *Oath*, (and which is unanimously interpreted by *Divines* and *Lawyers*, as expressive of the King's right *jure naturæ* to *Command* the *Obedience* of all his Subjects) it might have sufficiently satisfy'd you therein : and if at our next meeting you will have me dilate more on what our *Lawyers* have said about the Point of the debt of our *Natural* allegiance, I shall do it.

A. Our great *Lawyers* Judgments in that Point being known may be variously useful, and directive to the many illiterate and presumptuous Reflecters on the exercise of *Prerogative* ; and especially if so learned and so popular a *Lawyer* as Sir *Edward Coke* shall be by you further cited in such a Case. And so what you shall acquaint me with as from any such one of them shall be kindly welcome.

B. What you have now said brings it into my mind how that Great popular Man Sir *Edward Coke* was cited for this purpose by that great popular Man Sir *William Jones* in his learned *Argument* in *Thomas & Sorrel's Case*, and where he did so much right to the *DISPENSATIVE* Power.

A. What? Did Sir *William Jones* maintain the King's Power of *Dispensing* with *Acts* of *Parliament*?

B. Yes, and (*I believe*) was never censured for so doing by any one.

A. *I pray* tell me what was said by him in his *Argument*.

B. Then according to the very Learned and Judicious and Candid *Manuscript Report* I have of the *Case*, thus it was, *Among the three Points made, the first being if the Non-obstante in the Patent of King James was good against the Statute of Edw. 6. Jones agreed that the King may by Non-obstante dispense with a thing Prohibited by Statute if the thing were lawful before the Statute were made.* And he afterward said, that a *Dispensation* to one and his *Heirs* was never good but only in that of a *Sheriff. 2. H. 7. 6. Grant of a Shrievalty in fee Non-obstante the Statute.* But *Coke 7. R. 14. Calvin's Case*; the Reason of that is because the King hath interest to have the Service of all his Subjects by the Law of Nature.

And the truth is, that on this noble and great Consideration it is that our *Divines* who have treated of the *OATH* of *SUPREMACY* have fix'd the reasonableness and intent of that Oath, and of the King's having a right to Command the Obedience of all his Subjects, upon the basis of the Law of Nature, as well as on the Divine Law Positive. And thus too the style of the *Acts* of *Parliament* about the Oath of Allegiance runs, and which *Acts* you may Consult if you want any more Judgments of *Parliament* about the indissolubility of the King's right to Command the Obedience of the Subject, and of the Subjects duty to obey, before we meet again. The reasonableness of the words in that Oath contain'd in the Statute of 3th. *Jacobi*, viz. Of declaring that the Pope hath no Power to discharge any of His Majesty's Subjects of their Obedience, appears from its being call'd in that Statute their Natural Obedience. And the putting in Practice the persuading or withdrawing any of the King's Subjects from their Natural Obedience to His Majesty, or to reconcile them to the Pope or See of Rome is there made *Treason*. We will speak more of other Statutes of this nature at our next meeting.

And in the mean time let me observe to you how as in the *Conjuncture* of the *Exclusion* so many were infatuated as for fear of *Popery* to come, to run upon the very Court of *Rome-Popery* at present, namely that of *Dominium fundatur in Gratiâ*, so likewise many mens fear of the belief of perhaps some Religionary Tenets of *Popery* gaining ground for the future, hath hunted them upon the *Popery* of thinking that Subjects CAN in part, or in whole be discharged from their Natural Obedience to their Prince.

A. *I thank you Sir*, for suggesting that to me: for the truth is the tenet of thinking it lawful so to discharge Subjects from such their Natural Obedience, is the very odiosa materia charged by so many on the Council of *Lateran*.

B. You say right. But however let me occasionally advise you not to charge the odious matter in that Council on the Communion of the Church of Rome. For *I shall* tell you that the great Writers of our Church did after the real Plot of the *Gun-Powder-Treason* pursue such noble Methods of Christian Charity, as with an intent of improving the Principles of Loyalty and Allegiance among all our *Roman-Catholick* Countrymen, to endeavour to prove with all their Learning that the Decrees of that Council obliged no *Papist* in point of Conscience. King James in his Works calls

calls it but a *Pretended Council*, and Dr. Donne in his *Pseudo-Martyr* endeavours to prove it no *Council*.

Moreover Bishop *Bilson* in his learned Works for maintaining the *Oath of Supremacy*, saith that *Nothing was Concluded in the Council of Lateran*. I have here on the Table his *Book* call'd, *The Difference between Christian Subjection, and Un-christian Rebellion*, Printed A. 1586, in which his *Learned and Judicious Assertions and Explications of the Regal Supremacy*, and of our *Moral Offices to defend the same* are comprised: and there in *Part 3. p. 6.* you will find what he saith of the *Lateran Council*.

A. I have not the *Book*, and shall be glad I may borrow it from you, that thereby I may have the better prospect of the *Measures of our Divines in their Sense of the Assertory part of the Oath of Supremacy*, as making the *Rights of our Kings to Command the Services of all their Subjects*, to be indissoluble.

B. I pray take it along with you. And I am the rather desirous you should do it, because in this *Crooked and Perverse Generation* many who strain their *Consciences* by the inobservance of the *Oath*, may be so vain as to fancy that others strain the *Oath* who endeavour (as I have done) to build the *Right of our Kings to Command the Services of their Subjects*, on its so firm Foundation. He was trusted by the Government to write on the Subject of the *Oath*, and so his Authority is of the more weight: and I shall here at parting read to you what he saith in *Part 2. p. 183.* where he so well insinuates it, *that the Prince can freely permit, safely defend, generally restrain, and externally punish within the Realm*: but in *p. 328.* having spoke of the true *Supremacy of Princes*, he saith, *This is the Supremacy which we attribute to Princes, that all Men within their Territories should obey their Laws, or abide their Pleasures, and that no man on Earth hath Authority to take their Swords from them by Judicial Sentence, or Martial Violence.* And he there had before said in his Margin, *the Sword of Princes is Supreme, in that it is not Subject to the Pope, and must be obey'd of all in things that are good.* What he saith likewise in *p. 346.* there is worth your reading, where he makes the word *Supreme* to be a plain and manifest deduction out of the *13th of the Romans*, *Let every Soul be subject to the Superior Powers. If all Men must be subject to them, ergo they are Superior to all: and Superior to all is Supreme.* He then thus goeth on in his *Dialogue-way*, *Phil. S. Paul maketh them Superiors over all Persons, but not over all things. Theop. That Distinction is ours, (meaning Protestants) not yours: we did ever interpret Supreme for Superior to all men within their Dominions. Phil. And so we grant them to be but not in all things. For in Temporal things they are Superior to all men, in Spiritual they are not. Theop. That restraint comes too late: the Holy Ghost charging you to be subject to them simply without addition. It passeth your reach to limit in what things you will, and in what things you will not be subject. And he there saith, Out of all Question where Princes may by God's Law Command, all men must obey them not only for fear of wrath, but for Conscience sake. To this purpose too he asserts the Supremacy in the following Page: All men are bound to be subject to the Sword in all things, be they Temporal or Spiritual, not only by Suffering, but also by Obeying: but with this Caution, that in things that are good and agreeable to the Law of God, the Sword must be obey'd, in things that are otherwise, it must be endured. At the same rate you will find him writing in his *Third Part, p. 7. The Word of God bindeth you to obey Princes, the words of men cannot loose you.* But if you will there take notice of the fire of his Zeal breaking into a flame at the thoughts of the displacing of Princes from their Thrones, and of the dis-*

charging

charging of the People from the Oath and Obedience toward Princes, he saith that they who will go to that, turn Religion into Rebellion, Patience into Violence, Words into Weapons, Preaching into Fighting, Fidelity into Perjury, Subjection into Sedition, and instead of the Servants of God, which they might be by enduring, they become the Soldiers of Satan by resisting the Powers which God hath ordain'd.

A. I thank God I am a Member of the Church of England that may value it self not only on its Doctrine of NON-RESISTANCE, but on its DOCTRINE of Positive ASSISTANCE and DEFENCE of all Jurisdictions, Privileges, Pre-eminences and Authorities granted or belonging to the King, &c. or united and annex'd to the Imperial Crown of this Realm.

B. And how from this great Promissory part of our Oath, our Obligation to assist and defend the Jurisdiction, Privilege, Pre-eminence and Authority of the Dispensative Power in particular, granted or belonging to the King, and united and annex'd to the Imperial Crown of this Realm doth arise, we will at our next meeting consider, and when I will likewise shew you that the Prerogative royal is a part of the *Lex terræ*.

The End of the Second PART.

ERRATA.

Part I.

PAg. 1. Line 12. for *have not*, read *did not*. ib. l. 19. for *the Council*, r. *History of the Council*. p. 7. l. 49. r. *Conjuncture*. p. 13. l. 19. end the *Parenthesis* at *Quaro*. p. 14. l. 43. for 1760, r. 1676. p. 15. l. 26. after *I have*, r. *since*. p. 17. for *profoundedly* r. *profoundly*. p. 23. l. 5. after the word *being*, r. *in the Civil-Law Writers*. p. 28. l. 29. before *Dispensing*, r. *lawful*. p. 32. l. 3. for *incurr'd*, r. *that seems to be incurr'd*.

Part II.

For Number 37, in the first *Page* of it, r. 33, and in the three following pages, r. 34, 35, 36. in stead of 40, 41, 42. p. 35. l. 17. Dele the beginning of a *Parenthesis* before the word, *and*. p. 38. l. 9. Dele the *Comma* after *veult*. ib. l. 10. after *do*, r. *voluntarily*, or *without the King's leave*, ib. l. 21. after *or*, r. *further*. p. 39. for *Ney*, r. *Nye*. p. 40. l. 2. for *Confirm'd*, r. *Enacted*, ib. for *Conformation*, r. *Confirmation*. p. 50. l. 48. after *yet*, dele *you see*. p. 53. l. 38. for *and*, r. *they*. p. 65. l. 12. for *makes*, r. *seems to make*. p. 80. l. 18. for *common Law of Judges*, r. *Common-Law Judges*. p. 89. l. 21. after the word *Throne*, end the *Parenthesis*. p. 97. Before the first word in the *Page*, insert a great *B*. p. 120. l. 50. dele *who*. p. 137. l. 2. after the word *lay*, end the *Parenthesis*. ib. l. 3. after *fairly*, dele *the end of a Parenthesis*. p. 141. l. 24. for *likelihood*, r. *possibility*.

I 1164

Page 1. Line 12. for where, read and was the first for the Council, to which the Council, p. 7. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834.

Part II.

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The happy future state of England

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